

seasonal farm workers. Some of you may know that I am the son of migrant workers. There were no such student programs when I was growing up. But these programs have successfully helped migrant youth complete high school or obtain their GED. This has opened the door to continuing education opportunities in institutions of higher education.

In the 104th Congress, HEP-CAMP faced the threat of large cuts in funding. I introduced an amendment to maintain funding for HEP-CAMP. I wrote letters to committee chairs in both Chambers, describing the importance of these programs and the cost-effectiveness of their success. With the support of the Congressional Hispanic Caucus, funding was maintained. Since then, the programs have received increased funding. I am proud to have assisted HEP-CAMP in advancing their efforts.

Hispanic-serving institutions are another example of a critical funding stream for under-represented minorities. These institutions carry the burden of providing higher education for Latinos, the fastest growing segment of our nation's population. Still, they are subjected to educational, economic and political discrimination. The Congressional Hispanic Caucus has been working tirelessly to increase funding for Hispanic serving institutions to meet the growing educational needs of this target population. We have been successful in doing so for fiscal year 1998 and again in this year's bill. I thank the chairmen again for this necessary increase and Congressman LEWIS for spearheading such efforts. I am pleased to acknowledge Congressman LEWIS understands this important educational need for the growing segment of his district's, California's, and our Nation's population.

While I am pleased with these increases, I am gravely disappointed in the cuts and eliminations many other critical programs have received. We speak of engaging a new generation of Americans that are prepared to succeed in the global economy and technologically advanced society of the 21st century. Yet, we stand here, as a committee, ready to vote on a bill that falls far short of such a goal. I am deeply concerned that the funding levels in this mark will not meet the challenge of our future. We can all think of reasons to blame particular districts or the public education system for the seemingly poor education standards in this country, but we offer no solution.

The population of young people today far exceeds that of the so-called baby boom generation. Congress must rise to the challenge of providing greater opportunities for the growing mass of young people in this country. We must continue to fund programs that have proven successful in these efforts. This bill will not do this. We cut summer jobs and school-to-work programs which have also made notable efforts to advance and promote youth success. We have not given the necessary increases to after school programs and mentorship proposals.

Most disappointing is the subcommittee's decision to follow a misguided, poorly developed trend from my State, to cut funding for bilingual education. The administration is meeting the challenges of the growing Latino population with a Hispanic education action plan. This is a comprehensive plan based on high standards and research-based reform. The unacceptably high Hispanic dropout rate has signaled a need that must be addressed

if we are to successfully prepare our nation for the next century. Instead of meeting that need, we have turned our back on these students who want to learn English, finish high school and prepare for college.

Instead of investing in the future of this country as a whole, Congress is specifying which Americans deserve education funding, grants, and assistance. The restrictive language in this bill would impair a school district's ability to provide successful programs for their limited-English speaking students and make critical decisions that impact the education of all children. The arbitrary deadline for the acquisition of the English language prevents teachers and school administrators from doing what is best for each individual child. By basing such grants on exiting limited-English proficient children to English-only classes, without considering individual needs or academic performance, we are encouraging a debasing of standards and expectations for students.

My colleagues, I implore you to use better foresight in determining the funding levels from which we prepare Americans to meet the demands of their future. I thank the leaders who saw potential in my future and gave me the support and encouragement to continue my education and become a productive citizen of this country. Without the wisdom and vision of those people, I may not be here today. I cannot support this bill and I urge you to reject it as well. I am hopeful that we can devise a plan for a more balanced bill that does more to encourage progress rather than stifle it.

Mr. FORD. Mr. Speaker, I rise today to express my opposition to the proposed rule for the Labor/HHS appropriations bill and voice my concerns over the myopia that appears to plague many of my colleagues on the other side of the aisle.

As you may recall, Mr. Speaker, yesterday we agreed to go to conference with the Senate on juvenile crime legislation. And during the brief floor debate on this matter, several of my Republican colleagues expressed their belief that reducing juvenile crime requires a two-prong approach: punishment and prevention.

Well, Mr. Speaker, I find it curious at best how Republicans honestly can contend that they believe prevention is a vital component in reducing juvenile crime, when they plan on bringing a Labor/HHS bill to the floor that drastically cuts funding for Summer Jobs, School-to-Work, and After School Learning Programs—all of which are designed to help young people on the front end, by providing them a chance to do the right thing.

I wonder, Mr. Speaker, what kind of prevention strategy could be more counterproductive than:

Summer Jobs—cutting funding by over \$500 million, effectively denying 530,000 young people—over 1,500 in my district alone—the opportunity to work during the summer of 1999.

School-to-Work—cutting funding by \$250 million, effectively undermining the ability to provide work-based learning experiences to more than 1 million students in over 3,000 high schools.

After-School Learning Programs—cutting funding to \$140 million below the administration's request, effectively denying 3,000 communities the opportunity to provide after-school safe haven learning programs for nearly 400,000 school-age children.

How, I ask, do my colleagues on the other side of the aisle realistically expect young people in America to develop an appreciation of the value and importance of education and work, if all they see is Congress appropriating money to build more jail cells, but not to improve their schools or provide them summer jobs.

Mr. Speaker, I am also having a very difficult time understanding how the Republicans can reconcile their willingness to cut or eliminate funding for programs like Goals 2000, Star Schools, School-to-Work, and America Reads, with their professed commitment to education. In response to this criticism, I am sure many of my Republican colleagues will tout their Dollars-to-the-Classroom bill, which will block grant funding to states for education-related programs. Well, Mr. Speaker, if the funding levels in the Labor/HHS appropriations are any indication of what the Republicans plan on investing in, then America's young people and our Nation's public education system are in serious jeopardy.

So, Mr. Speaker, I say to every single Member of this body, if you believe in giving young people a chance at success, and truly want to see the juvenile crime rate go down in America—as opposed to just looking tough on crime—then you cannot in good conscience support the rule or underlying Labor/HHS appropriations bill.

CONFERENCE REPORT ON H.R. 4101, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. SKEEN (during the special order of Mr. OBEY) submitted the following conference report and statement on the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

CONFERENCE REPORT (H. REPT. 105-763)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4101) "making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed

\$75,000 for employment under 5 U.S.C. 3109, \$2,836,000: Provided, That not to exceed \$11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service, shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104-127: Provided further, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$5,620,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$25,000 is for employment under 5 U.S.C. 3109, \$11,718,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$6,120,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$5,551,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$4,283,000: Provided, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, \$613,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, and repair of Agriculture buildings, \$132,184,000: Provided, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers

shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, \$5,000,000, to remain available until expended; making a total appropriation of \$137,184,000.

HAZARDOUS WASTE MANAGEMENT (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961, \$15,700,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION (INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$32,168,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$3,000,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, \$3,668,000: Provided, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations: Provided further, That not less than \$2,241,000 shall be transferred to agencies funded by this Act to maintain personnel at the agency level.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, \$8,138,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the

Inspector General Act of 1978, \$65,128,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including a sum not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed \$100,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98: Provided, That for fiscal year 1999 and thereafter, funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of the Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, to remain available until expended.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$29,194,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, \$540,000.

ECONOMIC RESEARCH SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$65,757,000: Provided, That \$2,000,000 shall be transferred to and merged with the appropriation for "Food and Nutrition Service, Food Program Administration" for studies and evaluations: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), the Census of Agriculture Act of 1997 (Public Law 105-113), and other laws, \$103,964,000, of which up to \$23,599,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment

of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$781,950,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$250,000, except for greenhouses or greenhouses which shall each be limited to \$1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed \$500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$250,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 1999, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$56,437,000, to remain available until expended (7 U.S.C. 2209b): Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including \$180,545,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a-i); \$21,932,000 for grants for cooperative forestry research (16 U.S.C. 582a-a7); \$29,676,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); \$63,116,000 for special grants for agricultural research (7 U.S.C. 450i(c)); \$15,048,000 for special grants for agricultural research on improved pest control

(7 U.S.C. 450i(c)); \$119,300,000 for competitive research grants (7 U.S.C. 450i(b)); \$5,109,000 for the support of animal health and disease programs (7 U.S.C. 3195); \$750,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); \$600,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), to remain available until expended; \$3,000,000 for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); \$4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); \$1,000,000 for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); \$2,850,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); \$500,000 for a secondary agriculture education program and two-year postsecondary education (7 U.S.C. 3152 (h)); \$4,000,000 for aquaculture grants (7 U.S.C. 3322); \$8,000,000 for sustainable agriculture research and education (7 U.S.C. 5811); \$9,200,000 for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); \$1,552,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382; and \$10,688,000 for necessary expenses of Research and Education Activities, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109; in all, \$481,216,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 103-382 (7 U.S.C. 301 note), \$4,600,000.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, \$276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$2,060,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,695,000; payments for the pest management program under section 3(d) of the Act, \$10,783,000; payments for the farm safety program under section 3(d) of the Act, \$3,000,000; payments for the pesticide impact assessment program under section 3(d) of the Act, \$3,214,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95-113 (7 U.S.C. 3222b), \$8,426,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$908,000; payments for a ground-water quality program under section 3(d) of the Act, \$9,561,000; payments for youth-at-risk programs under section 3(d) of the Act, \$9,000,000; payments for a food safety program under section 3(d) of the Act, \$3,500,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,192,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,714,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$3,309,000; payments for rural health and safety education as authorized by

section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326 and 328) and Tuskegee University, \$25,843,000; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341-349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$11,741,000; in all, \$434,122,000: Provided, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, the Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, \$618,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, \$425,803,000, of which \$4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 1999, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 1999, \$88,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$7,700,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$90,000 for employment under 5 U.S.C. 3109, \$46,000,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$10,998,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stock-

yards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$26,787,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, \$446,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, \$609,250,000, and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: Provided, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, \$572,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$714,499,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101-5106), \$2,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, \$450,000, to remain available until expended (7 U.S.C. 2209b): Provided, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: Provided further, That this amount shall be transferred to the Commodity Credit Corporation: Provided further, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$510,682,000, of which \$425,031,000 shall be for guaranteed loans; operating loans, \$1,648,276,000, of which \$948,276,000 shall be for unsubsidized guaranteed loans and \$200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$1,000,000; for emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$19,580,000, of which \$6,758,000 shall be for guaranteed loans; operating loans, \$62,630,000, of which \$11,000,000 shall be for unsubsidized guaranteed loans and \$17,480,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$153,000; for emergency insured loans, \$5,900,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$1,440,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$219,861,000, of which \$209,861,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$64,000,000: Provided, That not to exceed \$700

shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1999, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$8,439,000,000 in the President's fiscal year 1999 Budget Request (H. Doc. 105-177)), but not to exceed \$8,439,000,000, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1999, the Commodity Credit Corporation shall not expend more than \$5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961: Provided, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$693,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the programs administered by the Natural Resources Conservation Service, including the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$641,243,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$5,990,000 is for snow survey and water forecasting and not less than \$9,025,000 is for operation and establishment of the plant materials centers: Provided, That appropriations hereunder

shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 in demonstration projects: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1009), \$10,368,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1005 and 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, \$99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to \$15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): Provided, That not to exceed \$47,000,000 of this appropriation shall be available for technical assistance: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010-1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a-f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$35,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to

exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$6,325,000, to remain available until expended, as authorized by that Act.

TITLE III

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$588,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, and 1932, except for sections 381E-H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), \$722,686,000, to remain available until expended, of which \$29,786,000 shall be for rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act; of which \$645,007,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which \$47,893,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided, That of the amount appropriated for the rural business and cooperative development programs, not to exceed \$500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That not to exceed \$16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed \$5,300,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed \$33,926,000 shall be available through June 30, 1999, for empowerment zones and enterprise communities, as authorized by Public Law 103-66, of which \$1,844,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which \$23,948,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; of which \$8,134,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$3,965,313,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$3,000,000,000 shall be for unsubsidized guaranteed loans; \$25,001,000 for section 504 housing repair loans; \$100,000,000 for section 538 guaranteed multi-family housing loans; \$20,000,000 for section 514 farm labor housing; \$114,321,000 for section 515 rental housing; \$5,152,000 for section 524 site loans; \$16,930,000 for credit sales of acquired property, of which up to \$5,001,000 may be for multi-family credit sales; and \$5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$116,800,000, of which \$2,700,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$8,808,000; section 538 multi-family housing guaranteed loans, \$2,320,000; section 514 farm labor housing, \$10,406,000; section 515 rental housing, \$55,160,000; section 524 site loans, \$17,000; credit sales of acquired property, \$3,492,000, of which up to \$2,416,000 may be for multi-family credit sales; and section 523 self-help housing land development loans, \$282,000: Provided, That of the total amount appropriated in this paragraph, \$10,380,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103-66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$360,785,000, which shall be transferred to and merged with the appropriation for "Rural Housing Service, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$583,397,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 1999 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$26,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That of the total amount appropriated, \$1,000,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103-66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for housing for domestic farm labor, very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1486, 1490e, and 1490m, \$41,000,000, to remain available until expended: Provided, That of the total amount appropriated, \$1,200,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103-66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing Service, including administering the programs

authorized by the Consolidated Farm and Rural Development Act, title V of the Housing Act of 1949, and cooperative agreements, \$60,978,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$320,000 may be used for employment under 5 U.S.C. 3109: Provided further, That the Administrator may expend not more than \$10,000 to provide modest nonmonetary awards to non-USDA employees.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, \$16,615,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans of \$33,000,000: Provided further, That through June 30, 1999, of the total amount appropriated, \$3,215,520 shall be available for the cost of direct loans for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, to subsidize gross obligations for the principal amount of direct loans, \$7,246,000: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses to carry out the direct loan programs, \$3,482,000 shall be transferred to and merged with the appropriation for "Rural Business-Cooperative Service, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$3,783,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 1999, as authorized by section 313 of the Rural Electrification Act of 1936, \$3,783,000 shall not be obligated and \$3,783,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$3,300,000, of which \$1,300,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program and \$250,000 shall be available for an agribusiness and cooperative development program.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$25,680,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$260,000 may be used for employment under 5 U.S.C. 3109.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION CORPORATION REVOLVING FUND

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901-5908), \$3,500,000 is appropriated to the Alternative Agricultural Research and Commercialization Corporation Revolving Fund.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, \$71,500,000; 5 percent rural telecommunications loans, \$75,000,000; cost of money rural telecommunications loans, \$300,000,000; municipal rate rural electric loans, \$295,000,000; and loans made pursuant to section 306 of that Act, rural electric, \$700,000,000 and rural telecommunications, \$120,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, \$16,667,000; cost of municipal rate loans, \$25,842,000; cost of money rural telecommunications loans, \$810,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$29,982,000, which shall be transferred to and merged with the appropriation for "Rural Utilities Service, Salaries and Expenses".

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 1999 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$157,509,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), \$4,174,000.

In addition, for administrative expenses necessary to carry out the loan programs, \$3,000,000, which shall be transferred to and merged with the appropriation for "Rural Utilities Service, Salaries and Expenses".

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., \$12,680,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: Provided, That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, and the Consolidated Farm and Rural Development Act, and for cooperative agreements, \$33,000,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$105,000 may be used for employment under 5 U.S.C. 3109.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,
NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, \$554,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$9,176,897,000, to remain available through September 30, 2000, of which \$4,128,747,000 is hereby appropriated and \$5,048,150,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That up to \$4,300,000 shall be available for independent verification of school food service claims: Provided further, That none of the funds under this heading shall be available unless the value of bonus commodities provided under section 32 of the Act of August 24, 1935 (49 Stat. 774, chapter 641; 7 U.S.C. 612c), and section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is included in meeting the minimum commodity assistance requirement of section 6(g) of the National School Lunch Act (42 U.S.C. 1755(g)).

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$3,924,000,000, to remain available through September 30, 2000: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the total amount available, the Secretary shall obligate \$10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional \$5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966: Provided further, That State agencies required to procure infant formula using a competitive bidding system may use funds appropriated by this Act to purchase infant formula under a cost containment contract entered into after September 30, 1996, only if the contract was awarded to the bidder offering the lowest net price, as defined by section 17(b)(20) of the Child Nutrition Act of 1966, unless the State agency demonstrates to the satisfaction of the Secretary that the weighted average retail price for different brands of infant formula in the State does not vary by more than 5 percent.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), \$22,585,106,000, of which \$100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That none of the funds made available under this head shall be used for studies and evaluations: Provided further, That funds provided herein shall be expended in ac-

cordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this head shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, \$131,000,000, to remain available through September 30, 2000: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS FOR SELECTED
GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note), and section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a), \$141,081,000, to remain available through September 30, 2000.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, \$108,561,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law and of which \$2,000,000 shall be available for obligation only after promulgation of a final rule to curb vendor related fraud: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED
PROGRAMSFOREIGN AGRICULTURAL SERVICE AND GENERAL
SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$136,203,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691, 1701-1704, 1721-1726a, 1727-1727e, 1731-1736g-3, and 1737), as follows: (1) \$203,475,000 for Public Law 480 title I credit, including Food for Progress programs; (2) \$16,249,000 is hereby appropriated for ocean freight differential costs for the shipment

of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985; (3) \$837,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) \$25,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: Provided, That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: Provided further, That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit agreements under said Act, \$176,596,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 480 are utilized, \$1,850,000, of which \$1,035,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service and General Sales Manager" and \$815,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

COMMODITY CREDIT CORPORATION EXPORT LOANS
PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$3,231,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service and General Sales Manager" and \$589,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG
ADMINISTRATIONDEPARTMENT OF HEALTH AND HUMAN
SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$1,098,140,000, of which not to exceed \$132,273,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: Provided, That fees derived from applications received during fiscal year 1999 shall be subject to the fiscal year 1999 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) \$226,580,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which, and notwithstanding section 409(h)(5)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), an amount of \$500,000 shall be made available for the development of systems, regulations,

and pilot programs, if any, that would be required to permit full implementation, consistent with section 409(h)(5) of that Act, in fiscal year 2000 of the food contact substance notification program under section 409(h) of such Act; (2) \$291,981,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$125,095,000 shall be for the Center for Veterinary Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$41,973,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$145,736,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$31,579,000 shall be for the National Center for Toxicological Research; (7) \$34,000,000 shall be for the Office of Tobacco; (8) \$25,855,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (9) \$88,294,000 shall be for payments to the General Services Administration for rent and related costs; and (10) \$87,047,000 shall be for other activities, including the Office of the Commissioner, the Office of Policy, the Office of External Affairs, the Office of Operations, the Office of Management and Systems, and central services for these offices.

In addition, fees pursuant to section 354 of the Public Health Service Act may be credited to this account, to remain available until expended.

In addition, fees pursuant to section 801 of the Federal Food, Drug, and Cosmetic Act may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$11,350,000, to remain available until expended (7 U.S.C. 2209b).

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1994, as authorized, \$2,565,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$61,000,000, including not to exceed \$1,000 for official reception and representation expenses: Provided, That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

LIMITATION OF ADMINISTRATIVE EXPENSES

Not to exceed \$35,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1999 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 440 passenger motor vehicles, of which 437 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427 and 1621–1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: Provided, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligatory authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, and up to \$2,000,000 for costs associated with collocating regional offices; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

New obligatory authority for the boll weevil program; up to 10 percent of the screwworm program of the Animal and Plant Health Inspection Service; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American Institutions Endowment Fund in the Cooperative State Research, Education, and Extension Service; and funds for the competitive research grants (7 U.S.C. 450i(b)), shall remain available until expended.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94–449.

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 710. None of the funds in this Act shall be available to restrict the authority of the Com-

modity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 711. None of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under the Small Business Innovation Development Act of 1982, Public Law 97–219 (15 U.S.C. 638).

SEC. 712. Notwithstanding any other provisions of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 713. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1999 shall remain available until expended to cover obligations made in fiscal year 1999 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

SEC. 714. Such sums as may be necessary for fiscal year 1999 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 715. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service; Grain Inspection, Packers and Stockyards Administration; and the Animal and Plant Health Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service, the Grain Inspection, Packers and Stockyards Administration or the Animal and Plant Health Inspection Service and a State or Cooperator to carry out agricultural marketing programs or to carry out programs to protect the Nation's animal and plant resources.

SEC. 716. Notwithstanding the Federal Grant and Cooperative Agreement Act, the Natural Resources Conservation Service may enter into contracts, grants, or cooperative agreements with a State agency or subdivision, or a public or private organization, for the acquisition of goods or services, including personal services, to carry out natural resources conservation activities: Provided, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

SEC. 717. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 718. Hereafter, none of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel to carry out a market promotion/market access program pursuant to section 203 of the Agricultural

Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to the United States Mink Export Development Council or any mink industry trade association.

SEC. 719. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants: Provided, That interagency funding is authorized to carry out the purposes of the National Drought Policy Commission.

SEC. 720. None of the funds appropriated in this Act may be used to carry out the provisions of section 918 of Public Law 104-127, the Federal Agriculture Improvement and Reform Act.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 723. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 724. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1999, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1999, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel

which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 725. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out section 793 of Public Law 104-127, with the exception of funds made available under that section on January 1, 1997.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by sections 334-341 of Public Law 104-127 in excess of \$174,000,000.

SEC. 727. None of the funds appropriated or otherwise available to the Department of Agriculture may be used to administer the provision of contract payments to a producer under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for contract acreage on which wild rice is planted unless the contract payment is reduced by an acre for each contract acre planted to wild rice.

SEC. 728. The Federal facility located in Stuttgart, Arkansas, and known as the "United States National Rice Germplasm Evaluation and Enhancement Center", shall be known and designated as the "Dale Bumpers National Rice Research Center": Provided, That any reference in law, map, regulation, document, paper, or other record of the United States to such federal facility shall be deemed to be a reference to the "Dale Bumpers National Rice Research Center".

SEC. 729. Notwithstanding any other provision of law, the Secretary of Agriculture, subject to the reprogramming requirements established by this Act, may transfer up to \$26,000,000 in discretionary funds made available by this Act among programs of the Department, not otherwise appropriated for a specific purpose or a specific location, for distribution to or for the benefit of the Lower Mississippi Delta Region, as defined in Public Law 100-460, prior to normal state or regional allocation of funds: Provided, That any funds made available through Chapter Four of Subtitle D of Title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) may be included in any amount reprogrammed under this section if such funds are used for a purpose authorized by such Chapter: Provided further, That any funds made available from ongoing programs of the Department of Agriculture used for the benefit of the Lower Mississippi Delta Region shall be counted toward the level cited in this section.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 120,000 acres in the fiscal year 1999 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the emergency food assistance program authorized by section 27(a) of the Food Stamp Act if such program exceeds \$90,000,000.

SEC. 732. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105-185.

SEC. 733. Notwithstanding any other provision of law, the City of Big Spring, Texas shall be eligible to participate in rural housing programs administered by the Rural Housing Service.

SEC. 734. Notwithstanding any other provision of law, the Municipality of Carolina, Puerto Rico shall be eligible for grants and loans administered by the Rural Utilities Service.

SEC. 735. Notwithstanding section 381A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009), the definitions of rural areas for

certain business programs administered by the Rural Business-Cooperative Service and the community facilities programs administered by the Rural Housing Service shall be those provided for in statute and regulations prior to the enactment of Public Law 104-127.

SEC. 736. None of the funds appropriated or otherwise made available by this Act shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 737. Section 512(d)(4)(D)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(d)(4)(D)(iii)) is amended by inserting before the semicolon the following: "except that for purposes of this clause, antibacterial ingredient or animal drug does not include the ionophore or arsenical classes of animal drugs".

SEC. 738. (a) None of the funds appropriated or otherwise made available to the Secretary by this Act, any other Act, or any other source may be used to issue the final rule to implement the amendments to Federal milk marketing orders required by subsection (a)(1) of section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253), other than during the period of February 1, 1999, through April 4, 1999, and only if the actual implementation of the amendments as part of Federal milk marketing orders takes effect on October 1, 1999, notwithstanding the penalties that would otherwise be imposed under subsection (c) of such section.

(b) None of such funds may be used to designate the State of California as a separate Federal milk marketing order under subsection (a)(2) of such section, other than during the period beginning on the date of the issuance of the final rule referred to in subsection (a) through September 30, 1999.

(c) For purposes of this section, a rule shall be considered to be a final rule when the rule is submitted to Congress as required by chapter 8 of title 5, United States Code, to permit congressional review of agency rulemaking and before the Secretary of Agriculture conducts the producer referendum required under section 8c(19) of the Agricultural Adjustment Act (7 U.S.C. 608c(19)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

SEC. 739. Whenever the Secretary of Agriculture announces the basic formula price for milk for purposes of Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary shall include in the announcement an estimate, stated on a per hundredweight basis, of the costs incurred by milk producers, including transportation and marketing costs, to produce milk in the different regions of the United States.

SEC. 740. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 335 of Public Law 104-127.

SEC. 741. WAIVER OF STATUTE OF LIMITATIONS. (a) To the extent permitted by the Constitution, any civil action to obtain relief with respect to the discrimination alleged in an eligible complaint, if commenced not later than 2 years after the date of the enactment of this Act, shall not be barred by any statute of limitations.

(b) The complainant may, in lieu of filing a civil action, seek a determination on the merits of the eligible complaint by the Department of Agriculture if such complaint was filed not later than 2 years after the date of enactment of this Act. The Department of Agriculture shall—

(1) provide the complainant an opportunity for a hearing on the record before making that determination; and

(2) award the complainant such relief as would be afforded under the applicable statute from which the eligible complaint arose notwithstanding any statute of limitations.

(c) A proposed administrative award or settlement, exceeding \$75,000 (other than debt relief), of an eligible complaint—

(1) shall not take effect until 90 days after notice of that award or settlement is given to the Attorney General (or the Attorney General's designee); and

(2) shall not take effect in any event if, during that 90-day period, the Attorney General (or the Attorney General's designee) objects to the award or settlement.

(d) Notwithstanding subsections (a) and (b), if an eligible claim is denied administratively, the claimant shall have at least 180 days to commence a cause of action in a Federal court of competent jurisdiction seeking a review of such denial.

(e) The United States Court of Federal Claims and the United States District Court shall have exclusive original jurisdiction over—

(1) any cause of action arising out of a complaint with respect to which this section waives the statute of limitations; and

(2) over any civil action for judicial review of a determination in an administrative proceeding in the Department of Agriculture under this section.

(f) As used in this section, the term "eligible complaint" means a non-employment-related complaint that was filed with the Department of Agriculture before July 1, 1997 and alleges discrimination at any time during the period beginning on January 1, 1983 and ending December 31, 1996:

(1) under the Equal Credit Opportunity Act (15 U.S.C. 1691 et seq.) in administering a farm ownership, farm operating, or emergency loan from the Agricultural Credit Insurance Program Account; or

(2) in the administration of a commodity program or a disaster assistance program.

(g) This section shall apply in fiscal year 1999 and thereafter.

SEC. 742. In any claim brought under the Rehabilitation Act of 1973 and filed with the Secretary of Agriculture after January 1994 resulting in a finding that a farmer was subjected to discrimination under any farm loan program or activity conducted by the United States Department of Agriculture in violation of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Secretary of Agriculture shall be liable for compensatory damages. Such liability shall apply to any administrative action brought before the date of enactment of this Act, but only if the action is brought within the applicable statute of limitations and the complainant sought or seeks compensatory damages while the action is pending.

SEC. 743. Public Law 102-237, Title X, Section 1013(a) and (b) (7 U.S.C. 426 note) is amended by striking " , to the extent practicable," in each instance in which it appears.

SEC. 744. Funds made available for conservation operations by this or any other Act, including prior-year balances, shall be available for financial assistance and technical assistance for Franklin County, Mississippi, in the amounts earmarked in appropriations report language.

SEC. 745. Section 306D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d) is amended by inserting "25 percent in" in lieu of "equal" in subsection (b), and by inserting "\$20,000,000" in lieu of "\$15,000,000" in subsection (d).

SEC. 746. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis in St. Louis, Missouri.

SEC. 747. None of the funds made available by this Act or any other Act for any fiscal year may be used to carry out section 302(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) unless the Secretary of Agriculture inspects and certifies agricultural processing equipment, and imposes a fee for the inspection

and certification, in a manner that is similar to the inspection and certification of agricultural products under that section, as determined by the Secretary: Provided, That this provision shall not affect the authority of the Secretary to carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

SEC. 748. Notwithstanding the provisions of section 508(b)(5)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)(A)), for the 1999 reinsurance and subsequent reinsurance years, no producer shall pay more than \$50 per crop per county as an administrative fee for catastrophic risk protection under section 508(b)(5)(A) of the Act.

SEC. 749. That notwithstanding section 4703(d)(1) of title 5, United States Code, the personnel management demonstration project established in the Department of Agriculture, as described at 55 FR 9062 and amended at 61 FR 9507 and 61 FR 49178, shall be continued indefinitely and become effective upon enactment of this Act.

SEC. 750. (a) The first sentence of section 509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended by striking "fiscal year 1998" and inserting "fiscal year 2000".

(b) Section 515(b)(4) of the Housing Act of 1949 (42 U.S.C. 1485(b)(4)) is amended by striking "September 30, 1998" and inserting "September 30, 2000".

(c) The first sentence of section 515(w)(1) of the Housing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by striking "fiscal year 1998" and inserting "fiscal year 2000".

(d) Section 538 of the Housing Act of 1949 (42 U.S.C. 1490p-2) is amended—

(1) in subsection (t), by striking "fiscal year 1998" and inserting "fiscal year 2000"; and

(2) in subsection (u), by striking "September 30, 1998" and inserting "September 30, 2000".

(e) Section 538(f) of the Housing Act of 1949 (42 U.S.C. 1490p-2(f)) is amended by adding after paragraph (5) the following new flush sentence:

"The Secretary may not deny a guarantee under this section on the basis that the interest on the loan, or on an obligation supporting the loan, for which the guarantee is sought is exempt from inclusion in gross income for purposes of chapter 1 of the Internal Revenue Code of 1986."

SEC. 751. Section 1237D(c)(1) of subchapter C of the Food Security Act of 1985 is amended by inserting after "perpetual" the following "or 30-year".

SEC. 752. Section 1237(b)(2) of subchapter C of the Food Security Act of 1985 is amended by adding the following:

"(C) For purposes of subparagraph (A), to the maximum extent practicable should be interpreted to mean that acceptance of wetlands reserve program bids may be in proportion to landowner interest expressed in program options."

SEC. 753. (a) Section 3(d)(3) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(d)(3)) (as amended by section 253(b) of the Agricultural Research, Extension, and Education Reform Act of 1998) is amended by striking "The Secretary" and inserting "At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary".

(b) Section 7(e)(2) of the Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4606(e)(2)) (as amended by section 605(f)(3) of the Agricultural Research, Extension, and Education Reform Act of 1998) is amended by striking "\$0.0075" each place it appears and inserting "\$0.01".

(c)(1) Section 793(c)(2)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2204f(c)(2)(B)) is amended—

(A) in clause (iii), by striking "or" at the end;

(B) in clause (iv), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(v) a State agricultural experiment station."

(2) Section 401(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(d)) is amended—

(A) in paragraph (3), by striking "or" at the end;

(B) in paragraph (4), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(5) a State agricultural experiment station."

(d) Section 3(d) of the Hatch Act of 1887 (7 U.S.C. 361c(d)) is amended—

(1) in paragraph (1), by striking "No" and inserting "Except as provided in paragraph (4), no"; and

(2) by adding at the end the following:

"(4) TERRITORIES.—In lieu of the matching funds requirement of paragraph (1), the Commonwealth of Puerto Rico, the Virgin Islands, and Guam shall be subject to the same matching funds requirements as those applicable to an eligible institution under section 1449 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222d)."

(e) Section 3(e) of the Smith-Lever Act (7 U.S.C. 343(e)) is amended—

(1) in paragraph (1), by inserting "paragraph (4) and" after "provided in"; and

(2) by adding at the end the following:

"(4) TERRITORIES.—In lieu of the matching funds requirement of paragraph (1), the Commonwealth of Puerto Rico, the Virgin Islands, and Guam shall be subject to the same matching funds requirements as those applicable to an eligible institution under section 1449 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222d)."

(f) The amendments made by this section shall take effect on the date of enactment of the Agricultural Research, Extension, and Education Reform Act of 1998.

SEC. 754. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2000 appropriations Act.

SEC. 755. (a) Section 203(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) is amended by adding at the end the following: "Shell eggs packed under the voluntary grading program of the Department of Agriculture shall not have been shipped for sale previous to being packed under the program, as determined under a regulation promulgated by the Secretary."

(b) Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture, and the Secretary of Health and Human Services, shall submit a joint status report to the Committees on Appropriations of the House of Representatives and the Senate that describes actions taken by the Secretary of Agriculture and the Secretary of Health and Human Services—

(1) to enhance the safety of shell eggs and egg products;

(2) to prohibit the grading, under the voluntary grading program of the Department of Agriculture, of shell eggs previously shipped for sale; and

(3) to assess the feasibility and desirability of applying to all shell eggs the prohibition on repackaging to enhance food safety, consumer information, and consumer awareness.

SEC. 756. Expenses for computer-related activities of the Department of Agriculture funded through the Commodity Credit Corporation pursuant to section 161(b)(1)(A) of Public Law 104-127 in fiscal year 1999 shall not exceed \$65,000,000. Provided, That section 4(g) of the Commodity Credit Corporation Charter Act is amended by striking \$193,000,000 and inserting \$188,000,000.

SEC. 757. (a) The Secretary of Agriculture may use funds for tree assistance made available under Public Law 105-174, to carry out a tree assistance program to owners of trees that were lost or destroyed as a result of a disaster or emergency that was declared by the President or the Secretary of Agriculture during the period beginning May 1, 1998, and ending August 1, 1998, regardless of whether the damage resulted in loss or destruction after August 1, 1998.

(b) Subject to subsection (c), the Secretary shall carry out the program, to the maximum extent practicable, in accordance with the terms and conditions of the tree assistance program established under part 783 of title 7, Code of Federal Regulations.

(c) A person shall be presumed eligible for assistance under the program if the person demonstrates to the Secretary that trees owned by the person were lost or destroyed by May 31, 1999, as a direct result of fire blight infestation that was caused by a disaster or emergency described in subsection (a).

SEC. 758. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within the United States Department of Agriculture without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 759. Notwithstanding any other provision of law, the city of Vineland, New Jersey, shall be eligible for programs administered by the Rural Housing Service and the Rural Business-Cooperative Service.

SEC. 760. (a)(1) For purposes of this section, the term "Commission" means the Commodity Futures Trading Commission.

(2) For purposes of this section, the term "qualifying hybrid instrument or swap agreement" means a hybrid instrument or swap agreement that—

(A) was entered into before the start of the restraint period or is entered into during the restraint period; and

(B) is exempt under part 34 or part 35 of title 17, Code of Federal Regulations (as in effect on January 1, 1998), qualifies for the safe harbor contained in the Policy Statement of the Commission regarding swap agreements published in the Federal Register on July 21, 1989 (54 Fed. Reg. 30694), or qualifies for the exclusion set forth in the Statutory Interpretation of the Commission concerning certain hybrid instruments published in the Federal Register on April 11, 1990 (55 Fed. Reg. 13582).

(3) For purposes of this section, the term "restraint period" means the period—

(A) beginning on the date of the enactment of this Act; and

(B) ending on March 30, 1999, or the first date on which legislation is enacted that authorizes appropriations for the Commission for a fiscal year after fiscal year 2000, whichever occurs first.

(b) During the restraint period, the Commission may not propose or issue any rule or regulation, or issue any interpretation or policy statement, that restricts or regulates activity in a qualifying hybrid instrument or swap agreement.

(c) Notwithstanding subsection (b), during the restraint period, the Commission may—

(1) act on a petition for exemptive relief under section 4(c) of the Commodity Exchange Act (7 U.S.C. 6(c));

(2) enter such cease and desist orders and take such enforcement action, including the imposition of sanctions, as the Commission considers

necessary to enforce any provision of the Commodity Exchange Act (7 U.S.C. 1 et seq.) or title 17, Code of Federal Regulations, in connection with a qualifying hybrid instrument or swap agreement, to the extent such provision is otherwise applicable to that qualifying hybrid instrument or swap agreement or a transaction involving that qualifying hybrid instrument or swap agreement;

(3) take such action as the Commission considers appropriate with regard to agricultural trade options; and

(4) take such action as the Commission considers appropriate to respond to a market emergency.

(d)(1) The legal status of contracts involving a qualifying hybrid instrument or swap agreement shall not differ from the legal status afforded such contracts during the period—

(A) beginning on—

(i) in the case of swap agreements, July 21, 1989, which was the date on which the Commission adopted a Policy Statement regarding swap agreements (54 Fed. Reg. 30694); and

(ii) in the case of hybrid instruments, April 11, 1990, which was the date that the Statutory Interpretation of the Commission concerning hybrid instruments was published in the Federal Register; and

(B) ending on January 1, 1998.

(2) Neither the comment letter of the Commission submitted on February 26, 1998, to the Securities and Exchange Commission regarding the proposal known as "Broker-Dealer Lite", nor the Concept Release of the Commission regarding over-the-counter derivatives published in the Federal Register on May 12, 1998 (63 Fed. Reg. 26114), shall alter or affect the legal status of a qualifying hybrid instrument or swap agreement under the Commodity Exchange Act (7 U.S.C. 1 et seq.).

(e) Nothing in this section shall be construed as reflecting or implying a determination that a qualifying hybrid instrument or swap agreement, or a transaction involving a qualifying hybrid instrument or swap agreement, is subject to the Commodity Exchange Act (7 U.S.C. 1 et seq.).

SEC. 761. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out provisions of section 612 of Public Law 105-185.

SEC. 762. Section 136 of the Agricultural Market Transition Act (7 U.S.C. 7236) is amended by striking "1.25 cents" each place it appears in subsections (a) and (b) and inserting "3 cents".

SEC. 763. In implementing section 1124 of subtitle C of title XI of this Act, the Secretary of Agriculture shall:

(a) provide \$18,000,000 to the states for distribution of emergency aid to individuals with family incomes below the federal poverty level who have been adversely affected utilizing Federal Emergency Management Agency guidelines;

(b) transfer to the Secretary of Commerce for obligation and expenditure (1) \$15,000,000 for programs pursuant to title IX of Public Law 91-304, as amended, of which six percent may be available for administrative costs; (2) \$5,000,000 for the Trade Adjustment Assistance program as provided by the Trade Act of 1974, as amended; and (3) \$7,000,000 for disaster research and prevention pursuant to section 402(d) of Public Law 94-265; and

(c) transfer to the Administrator of the Small Business Administration for obligation and expenditure, \$5,000,000 for the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, for eligible small businesses.

SEC. 764. (a) Section 604 of the Clean Air Act is amended by inserting at the end the following:

"(h) METHYL BROMIDE.—Notwithstanding subsection (d) and section 604(b), the Administrator shall not terminate production of methyl bromide prior to January 1, 2005. The Administrator shall promulgate rules for reductions in, and terminate the production, importation, and

consumption of, methyl bromide under a schedule that is in accordance with, but not more stringent than, the phaseout schedule of the Montreal Protocol Treaty as in effect on the date of the enactment of this subsection."

(b) Section 604(d) of the Clean Air Act is amended by inserting at the end the following:

"(5) SANITATION AND FOOD PROTECTION.—To the extent consistent with the Montreal Protocol's quarantine and preshipment provisions, the Administrator shall exempt the production, importation, and consumption of methyl bromide to fumigate commodities entering or leaving the United States or any State (or political subdivision thereof) for purposes of compliance with Animal and Plant Health Inspection Service requirements or with any international, Federal, State, or local sanitation or food protection standard.

"(6) CRITICAL USES.—To the extent consistent with the Montreal Protocol, the Administrator and the Secretary of Agriculture, after notice and opportunity for public comment, may exempt the production, importation, and consumption of methyl bromide for critical uses."

(c) Section 604(e) of the Clean Air Act is amended by inserting at the end the following:

"(3) METHYL BROMIDE.—Notwithstanding the phaseout and termination of production of methyl bromide pursuant to section 604(h), the Administrator may, consistent with the Montreal Protocol, authorize the production of limited quantities of methyl bromide, solely for use in developing countries that are Parties to the Copenhagen Amendments to the Montreal Protocol."

TITLE VIII—AGRICULTURAL CREDIT

SEC. 801. Section 373 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008h) is amended by striking subsection (b) and inserting the following:

"(b) PROHIBITION OF LOANS FOR BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.—

"(1) PROHIBITIONS.—Except as provided in paragraph (2)—

"(A) the Secretary may not make a loan under this title to a borrower that has received debt forgiveness on a loan made or guaranteed under this title; and

"(B) the Secretary may not guarantee a loan under this title to a borrower that has received—

"(i) debt forgiveness after April 4, 1996, on a loan made or guaranteed under this title; or

"(ii) received debt forgiveness on no more than 3 occasions on or before April 4, 1996.

"(2) EXCEPTIONS.—

"(A) IN GENERAL.—The Secretary may make a direct or guaranteed farm operating loan for paying annual farm or ranch operating expenses of a borrower who—

(i) was restructured with a write-down under section 353; or

(ii) is current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of Title II of the United States Code.

"(B) EMERGENCY LOANS.—The Secretary may make an emergency loan under section 321 to a borrower that—

"(i) on or before April 4, 1996, received not more than 1 debt forgiveness on a loan made or guaranteed under this title; and

"(ii) after April 4, 1996, has not received debt forgiveness on a loan made or guaranteed under this title."

SEC. 802. Section 324(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1964(d)) is amended—

(1) by striking "(d) All loans" and inserting the following:

"(d) REPAYMENT.—

"(1) IN GENERAL.— All loans"; and

(2) by adding at the end the following:

"(2) NO BASIS FOR DENIAL OF LOAN.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall not deny a loan under this subtitle to a borrower by reason of the fact

that the borrower lacks a particular amount of collateral for the loan if the Secretary is reasonably certain that the borrower will be able to repay the loan.

(B) REFUSAL TO PLEDGE AVAILABLE COLLATERAL.—The Secretary may deny or cancel a loan under this subtitle if a borrower refuses to pledge available collateral on request by the Secretary."

SEC. 803. (a) Section 508(n) of the Federal Crop Insurance Act (7 U.S.C. 1508(n)) is amended—

(1) by striking "If" and inserting the following:

"(1) **IN GENERAL.**—Except as provided in paragraph (2), if"; and

(2) by adding at the end the following:

"(2) **EXCEPTION.**—Paragraph (1) shall not apply to emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)."

(b) Section 196(i)(3) of the Agricultural Market Transition Act (7 U.S.C. 7333(i)(3)) is amended—

(1) by striking "If" and inserting the following:

"(A) **IN GENERAL.**—Except as provided in subparagraph (B), if"; and

(2) by adding at the end the following:

"(B) **EXCEPTION.**—Subparagraph (A) shall not apply to emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)."

SEC. 804. Section 302 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922) is amended by adding at the end the following:

"(D) **NOTICE.**—Beginning with fiscal year 2000 not later than 12 months before a borrower will become ineligible for direct loans under this subtitle by reason of this paragraph, the Secretary shall notify the borrower of such impending ineligibility."

SEC. 805. The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) is amended—

(1) in section 302(a)(2) (7 U.S.C. 1922(a)(2)), by inserting "for direct loans only," before "have either";

(2) in section 311(a)(2) (7 U.S.C. 1941(a)(2)), by inserting "for direct loans only," before "have either"; and

(3) in section 359 (7 U.S.C. 2006a)—

(A) in subsection (a), by striking "and guaranteed"; and

(B) in subsection (c), by striking "or guaranteed" each place it appears.

SEC. 806. (a) Section 305 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1925) is amended—

(1) by striking "Sec. 305. The Secretary" and inserting the following:

"SEC. 305. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP LOANS.

"(a) **IN GENERAL.**—The Secretary";

(2) by striking "\$300,000" and inserting "\$700,000 (increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed and reduced by the amount of any unpaid indebtedness of the borrower on loans under subtitle B that are guaranteed by the Secretary)";

(3) by striking "In determining" and inserting the following:

"(b) **DETERMINATION OF VALUE.**—In determining"; and

(4) by adding at the end the following:

"(c) **INFLATION PERCENTAGE.**—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

"(1) the average of the Consumer Price Index (as defined in section 1(f)(5) of the Internal Revenue Code of 1986) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

"(2) the average of the Consumer Price Index (as so defined) for the 12-month period ending on August 31, 1996.".

(b) Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended—

(1) by striking "Sec. 313. The Secretary" and inserting the following:

"SEC. 313. LIMITATIONS ON AMOUNT OF OPERATING LOANS.

"(a) **IN GENERAL.**—The Secretary";

(2) by striking "this subtitle (1) that would cause" and inserting "this subtitle—

"(1) that would cause";

(3) by striking "\$400,000; or (2) for the purchasing" and inserting "\$700,000 (increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed and reduced by the unpaid indebtedness of the borrower on loans under the sections specified in section 305 that are guaranteed by the Secretary); or

"(2) for the purchasing"; and

(4) by adding at the end the following:

"(b) **INFLATION PERCENTAGE.**—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

"(1) the average of the Consumer Price Index (as defined in section 1(f)(5) of the Internal Revenue Code of 1986) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

"(2) the average of the Consumer Price Index (as so defined) for the 12-month period ending on August 31, 1996.".

SEC. 807. Section 353(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(e)) is amended by adding at the end the following:

"(6) **NOTICE OF RECAPTURE.**—Beginning with fiscal year 2000 not later than 12 months before the end of the term of a shared appreciation arrangement, the Secretary shall notify the borrower involved of the provisions of the arrangement."

SEC. 808. Section 353(c)(3)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(c)(3)(C)) is amended by striking "110 percent" and inserting "100 percent".

TITLE IX—INDIA-PAKISTAN RELIEF ACT

SEC. 901. SHORT TITLE. This title may be cited as the "India-Pakistan Relief Act of 1998".

SEC. 902. WAIVER AUTHORITY. (a) **AUTHORITY.**—The President may waive for a period not to exceed one year upon enactment of this Act with respect to India or Pakistan the application of any sanction or prohibition (or portion thereof) contained in section 101 or 102 of the Arms Export Control Act, section 620E(e) of the Foreign Assistance Act of 1961, or section 2(b)(4) of the Export Import Bank Act of 1945.

(b) **EXCEPTION.**—The authority provided in subsection (a) shall not apply to any restriction in section 102(b)(2) (B), (C), or (G) of the Arms Export Control Act.

(c) **AVAILABILITY OF AMOUNTS.**—Amounts made available by this section are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided, That such amounts shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 903. CONSULTATION. Prior to each exercise of the authority provided in section 902, the President shall consult with the appropriate congressional committees.

SEC. 904. REPORTING REQUIREMENT. Not later than 30 days prior to the expiration of a one-year period described in section 902, the Secretary of State shall submit a report to the appropriate congressional committees on economic and national security developments in India and Pakistan.

SEC. 905. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED. In this title, the term "appropriate congressional committees" means the

Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives and the Committees on Appropriations of the House of Representatives and the Senate.

TITLE X—UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS

SEC. 1001. GENERAL.

Title II of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6901 et seq.) is amended—

(1) in section 218(a)—

(A) in paragraph (1) by adding "and" at the end;

(B) in paragraph (2) by striking "; and" and inserting a period; and

(C) by striking paragraph (3);

(2) by redesignating subtitle I as subtitle J;

(3) by inserting after subtitle H the following:

"Subtitle I—Marketing and Regulatory Programs

"SEC. 285. UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS.

"(a) **AUTHORIZATION.**—The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Marketing and Regulatory Programs.

"(b) **CONFIRMATION REQUIRED.**—If the Secretary establishes the position of Under Secretary of Agriculture for Marketing and Regulatory Programs authorized under subsection (a), the Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

"(c) **FUNCTIONS OF UNDER SECRETARY.**—

"(1) **PRINCIPAL FUNCTIONS.**—Upon establishment, the Secretary shall delegate to the Under Secretary of Agriculture for Marketing and Regulatory Programs those functions and duties under the jurisdiction of the Department that are related to agricultural marketing, animal and plant health inspection, grain inspection, and packers and stockyards.

"(2) **ADDITIONAL FUNCTIONS.**—The Under Secretary of Agriculture for Marketing and Regulatory Programs shall perform such other functions and duties as may be required by law or prescribed by the Secretary.

"(d) **SUCCESSION.**—Any official who is serving as Assistant Secretary of Agriculture for Marketing and Regulatory Programs on the date of the enactment of this section and who was appointed by the President, by and with the advice and consent of the Senate, shall not be required to be reappointed under subsection (b) to the successor position authorized under subsection (a) if the Secretary establishes the position, and the official occupies the new position, within 180 days after the date of enactment of this section (or such later date set by the Secretary if litigation delays rapid succession).

"(e) **EXECUTIVE SCHEDULE.**—Section 5314 of title 5, United States Code, is amended by inserting after the item relating to the Under Secretary of Agriculture for Food Safety (as added by section 261(c)) the following:

"Under Secretary of Agriculture for Marketing and Regulatory Programs."; and

(4) in section 296(b)—

(A) in paragraph (2), by striking "or";

(B) in paragraph (3), by striking the period and inserting "; or"; and

(C) by adding at the end the following:

"(4) the authority of the Secretary to establish in the Department the position of Under Secretary of Agriculture for Marketing and Regulatory Programs under section 285.".

SEC. 1002. PAY INCREASE PROHIBITED.

The compensation of any officer or employee of the Department of Agriculture on the date of enactment of this Act shall not be increased as a result of the enactment of this Act.

SEC. 1003. CONFORMING AMENDMENT.

Section 5315 of title 5, United States Code, is amended by striking "Assistant Secretaries of

Agriculture (3).” and inserting “Assistant Secretaries of Agriculture (2).”.

TITLE XI—EMERGENCY AND MARKET LOSS ASSISTANCE

Subtitle A—Emergency Assistance for Crop and Livestock Feed Losses Due to Disasters

SEC. 1101. GENERAL PROVISIONS.

(a) **FAIR AND EQUITABLE DISTRIBUTION.**—Assistance made available under this subtitle shall be distributed in a fair and equitable manner to producers who have incurred crop and livestock feed losses in all affected geographic regions of the United States.

(b) **PROGRAM ADMINISTRATION.**—In carrying out this subtitle, the Secretary of Agriculture (referred to in this title as the “Secretary”) may determine—

(1) 1 or more loss thresholds producers on a farm must incur with respect to a crop to be eligible for assistance;

(2) the payment rate for crop and livestock feed losses incurred; and

(3) eligibility and payment limitation criteria (as defined by the Secretary) for persons to receive assistance under this subtitle, which, in the case of assistance received under any section of this subtitle, shall be in addition to—

(A) assistance made available under any other section of this subtitle and subtitle B;

(B) payments or loans received by a person under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.);

(C) payments received by a person for the 1998 crop under the noninsured crop assistance program established under section 196 of that Act (7 U.S.C. 7333);

(D) crop insurance indemnities provided for the 1998 crop under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(E) emergency loans made available for the 1998 crop under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

SEC. 1102. CROP LOSS ASSISTANCE.

(a) **IN GENERAL.**—The Secretary shall administer a program under which emergency financial assistance is made available to producers on a farm who have incurred losses associated with crops due to disasters (as determined by the Secretary).

(b) **LOSSES INCURRED FOR 1998 CROP.**—Subject to section 1132, the Secretary shall use not more than \$1,500,000,000 to make available assistance to producers on a farm who have incurred losses in the 1998 crop due to disasters.

(c) **MULTIYEAR LOSSES.**—Subject to section 1132, the Secretary shall use not more than \$675,000,000 to make available assistance to producers on a farm who have incurred multiyear losses (as defined by the Secretary) in the 1998 and preceding crops of a commodity due to disasters (including, but not limited to, diseases such as scab).

(d) **RELATIONSHIP BETWEEN ASSISTANCE.**—The Secretary shall make assistance available to producers on a farm under either subsection (b) or (c).

(e) **QUALIFYING LOSSES.**—Assistance under this section may be made for losses associated with crops that are due to, as determined by the Secretary—

(1) quantity losses;

(2) quality (including, but not limited to, aflatoxin) losses; or

(3) severe economic losses due to damaging weather or related condition.

(f) **CROPS COVERED.**—Assistance under this section shall be applicable to losses for all crops, as determined by the Secretary, due to disasters.

(g) **CROP INSURANCE.**—

(1) **ADMINISTRATION.**—In carrying out this section, the Secretary shall not discriminate against or penalize producers on a farm who have purchased crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(2) **ENCOURAGING FUTURE CROP INSURANCE PARTICIPATION.**—Subject to section 1132, the Sec-

retary, acting through the Federal Crop Insurance Corporation, may use the funds made available under subsections (b) and (c), and only those funds, to provide premium refunds or other assistance to purchasers of crop insurance for their 1998 insured crops, or their preceding (including 1998) insured crops.

(3) **PRODUCERS WHO HAVE NOT PURCHASED CROP INSURANCE FOR 1998 CROP.**—As a condition of receiving assistance under this section, producers on a farm who have not purchased crop insurance for the 1998 crop under that Act shall agree by contract to purchase crop insurance for the subsequent 2 crops produced by the producers.

(4) **LIQUIDATED DAMAGES.**—

(A) **IN GENERAL.**—The contract under paragraph (3) shall provide for liquidated damages to be paid by the producers due to the failure of the producers to purchase crop insurance as provided in paragraph (3).

(B) **NOTICE OF DAMAGES.**—The amount of the liquidated damages shall be established by the Secretary and specified in the contract agreed to by the producers.

(5) **FUNDING FOR CROP INSURANCE PURCHASE REQUIREMENT.**—Subject to section 1132, such sums as may be necessary, to remain available until expended, shall be available to the Federal Crop Insurance Corporation to cover costs incurred by the Corporation as a result of the crop insurance purchase requirement of paragraph (3). Funds made available under subsections (b) and (c) may not be used to cover such costs.

SEC. 1103. EMERGENCY LIVESTOCK FEED ASSISTANCE.

Subject to section 1132, the Secretary shall use not more than \$175,000,000 to make available livestock feed assistance to livestock producers affected by disasters during calendar year 1998.

Subtitle B—Market Loss Assistance

SEC. 1111. MARKET LOSS ASSISTANCE.

(a) **IN GENERAL.**—Subject to section 1132, the Secretary shall use \$1,650,000,000 for assistance to owners and producers on a farm who are eligible for final payments for fiscal year 1998 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) to partially compensate the owners and producers for the loss of markets for the 1998 crop of a commodity.

(b) **AMOUNT.**—The amount of assistance made available to owners and producers on a farm under this section shall be proportional to the amount of the contract payment received by the owners and producers for fiscal year 1998 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(c) **TIME FOR PAYMENT.**—The assistance made available under this section for an eligible owner or producer shall be made as soon as practicable after the date of enactment of this Act.

Subtitle C—Other Assistance

SEC. 1121. INDEMNITY PAYMENTS FOR COTTON PRODUCERS.

(a) **FEDERAL CONTRIBUTION.**—Subject to subsection (b), the Secretary of Agriculture shall pay \$5,000,000 to the State of Georgia to help fund an indemnity fund, to be established and managed by that State, to compensate cotton producers in that State for losses incurred in 1998 or 1999 from the loss of properly stored, harvested cotton as the result of the bankruptcy of a warehouseman or other party in possession of warehouse receipts evidencing title to the commodity, an improper conversion or transfer of the cotton, or such other potential hazards as determined appropriate by the State.

(b) **CONDITIONS ON PAYMENT TO STATE.**—The Secretary of Agriculture shall make the payment to the State of Georgia under subsection (a) only if the State also contributes \$5,000,000 to the indemnity fund and agrees to expend all amounts in the indemnity fund by not later than January 1, 2000, to provide compensation to cotton

producers as provided in such subsection. If the State of Georgia fails to make its contribution of \$5,000,000 to the indemnity fund by July 1, 1999, the funds that would otherwise be paid to the State shall be available to the Secretary for the purpose of providing partial compensation to cotton producers as provided in such subsection.

(c) **REPORTING REQUIREMENTS.**—Upon the establishment of the indemnity fund, and not later than October 1, 1999, the State of Georgia shall submit a report to the Secretary of Agriculture and the Congress describing the State's efforts to use the indemnity fund to provide compensation to injured cotton producers.

SEC. 1122. HONEY RECOURSE LOANS.

(a) **IN GENERAL.**—In order to assist producers of honey to market their honey in an orderly manner during a period of disastrously low prices, the Secretary shall make available recourse loans to producers of the 1998 crop of honey on fair and reasonable terms and conditions, as determined by the Secretary.

(b) **LOAN RATE.**—The loan rate of the loans shall be 85 percent of the average price of honey during the 5-crop year period preceding the 1998 crop year, excluding the crop year in which the average price of honey was the highest and the crop year in which the average price of honey was the lowest in the period.

(c) **NO NET COST BASIS.**—Repayment of a loan under this section shall include repayment for interest and administrative costs as necessary to operate the program established under this section on a no net cost basis.

SEC. 1123. NONINSURED CROP ASSISTANCE TO RAISIN PRODUCERS.

Notwithstanding any of the provisions of section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) that would exclude the following producers from benefits thereunder, the Secretary shall make Non-insured Crop Assistance Program payments in fiscal year 1999 to raisin producers who obtained catastrophic risk protection but because of adverse weather conditions were not able to comply with the policy deadlines for laying the raisins in trays.

SEC. 1124. EMERGENCY ASSISTANCE.

In addition to amounts appropriated or otherwise made available by this Act, \$50,000,000 is appropriated to the Department of Agriculture, to remain available until expended, to provide emergency disaster assistance to persons or entities who have incurred losses from a failure under section 312(a) of Public Law 94-265.

SEC. 1125. FOOD FOR PROGRESS.

The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (f)(3), by inserting after “\$30,000,000” the following: “(or, in the case of fiscal year 1999, \$35,000,000)”;

(2) in subsection (l)(1), by inserting after “\$10,000,000” the following: “(or, in the case of fiscal year 1999, \$12,000,000)”;

(3) by redesignating subsection (n) as subsection (o); and

(4) by inserting after subsection (m) the following:

“(n) During fiscal year 1999, to the maximum extent practicable, the Secretary shall utilize Private Voluntary Organizations to carry out this section.”.

SEC. 1126. TEMPORARY EXPANSION OF RECOURSE LOAN AUTHORITY.

Section 137 of the Agricultural Market Transition Act (7 U.S.C. 7237) is amended—

(1) in the section heading, by inserting “and other fibers” before the period at the end;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) **RECOURSE LOANS AVAILABLE FOR MOHAIR.**—

“(1) **RECOURSE LOANS AVAILABLE.**—Notwithstanding any other provision of law, during fiscal year 1999, the Secretary shall make available

recourse loans, as determined by the Secretary, to producers of mohair produced during or before that fiscal year.

“(2) **LOAN RATE.**—The loan rate for a loan under paragraph (1) shall be equal to \$2.00 per pound.

“(3) **TERM OF LOAN.**—A loan under paragraph (1) shall have a term of 1 year beginning on the first day of the first month after the month in which the loan is made.

“(4) **WAIVER OF INTEREST.**—Notwithstanding subsection (d), the Secretary shall not charge interest on a loan made under paragraph (1).”.

Subtitle D—Administration

SEC. 1131. COMMODITY CREDIT CORPORATION.

Subject to section 1132, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out subtitles A, B, and C.

SEC. 1132. EMERGENCY REQUIREMENT.

Notwithstanding the last sentence of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, amounts made available by subtitles A, B, and C of this title are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided, That such amounts shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

SEC. 1133. REGULATIONS.

(a) **ISSUANCE OF REGULATIONS.**—As soon as practicable after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall issue such regulations as are necessary to implement subtitles A, B, and C. The issuance of the regulations shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(b) **CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.**—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

TITLE XII—BIODIESEL

SEC. 1201. BIODIESEL FUEL USE CREDITS.

(a) **AMENDMENT.**—Title III of the Energy Policy Act of 1992 (42 U.S.C. 13211–13219) is amended by adding at the end the following new section:

“SEC. 312. BIODIESEL FUEL USE CREDITS.

“(a) **ALLOCATION OF CREDITS.**—

“(1) **IN GENERAL.**—The Secretary shall allocate one credit under this section to a fleet or covered person for each qualifying volume of the biodiesel component of fuel containing at least 20 percent biodiesel by volume purchased after the date of the enactment of this section for use by the fleet or covered person in vehicles owned or operated by the fleet or covered person that weigh more than 8,500 pounds gross vehicle weight rating.

“(2) **EXCEPTIONS.**—No credits shall be allocated under paragraph (1) for a purchase of biodiesel—

“(A) for use in alternative fueled vehicles; or

“(B) that is required by Federal or State law.

“(3) **AUTHORITY TO MODIFY PERCENTAGE.**—The Secretary may, by rule, lower the 20 percent biodiesel volume requirement in paragraph (1) for reasons related to cold start, safety, or vehicle function considerations.

“(4) **DOCUMENTATION.**—A fleet or covered person seeking a credit under this section shall pro-

vide written documentation to the Secretary supporting the allocation of a credit to such fleet or covered person under paragraph (1).

“(b) **USE OF CREDITS.**—

“(1) **IN GENERAL.**—At the request of a fleet or covered person allocated a credit under subsection (a), the Secretary shall, for the year in which the purchase of a qualifying volume is made, treat that purchase as the acquisition of one alternative fueled vehicle the fleet or covered person is required to acquire under this title, title IV, or title V.

“(2) **LIMITATION.**—Credits allocated under subsection (a) may not be used to satisfy more than 50 percent of the alternative fueled vehicle requirements of a fleet or covered person under this title, title IV, and title V. This paragraph shall not apply to a fleet or covered person that is a biodiesel alternative fuel provider described in section 501(a)(2)(A).

“(c) **CREDIT NOT A SECTION 508 CREDIT.**—A credit under this section shall not be considered a credit under section 508.

“(d) **ISSUANCE OF RULE.**—The Secretary shall, before January 1, 1999, issue a rule establishing procedures for the implementation of this section.

“(e) **COLLECTION OF DATA.**—The Secretary shall collect such data as are required to make a determination described in subsection (f)(2)(B).

“(f) **DEFINITIONS.**—For purposes of this section—

“(1) the term ‘biodiesel’ means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act; and

“(2) the term ‘qualifying volume’ means—

“(A) 450 gallons; or

“(B) if the Secretary determines by rule that the average annual alternative fuel use in light duty vehicles by fleets and covered persons exceeds 450 gallons or gallon equivalents, the amount of such average annual alternative fuel use.”.

(b) **TABLE OF CONTENTS AMENDMENT.**—The table of contents of the Energy Policy Act of 1992 is amended by adding at the end of the items relating to title III the following new item:

“Sec. 312. Biodiesel fuel use credits.”.

TITLE XIII—EMERGENCY APPROPRIATIONS

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$40,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

For an additional gross obligation for the principal amount of direct and guaranteed farm operating loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, \$540,510,000, of which \$150,000,000 shall be for unsubsidized guaranteed loans and \$156,704,000 shall be for subsidized guaranteed loans.

For the additional cost of direct and guaranteed farm operating loans, including the cost of modifying such loans as defined in section 502 of the Congressional Budget Act of 1974, farm operating loans, \$31,405,000, of which \$15,969,000 shall be for direct loans, \$13,696,000 for guaranteed subsidized loans, and \$1,740,000 for unsubsidized guaranteed loans: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATURAL RESOURCES CONSERVATION SERVICE FORESTRY INCENTIVES PROGRAM

For an additional amount to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$10,000,000, to remain available until expended, as authorized by that Act: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That such amount shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999”.

And the Senate agree to the Same.

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT,
Jr.,

HENRY BONILLA,
TOM LATHAM,
BOB LIVINGSTON,
MARCY KAPTUR
(except CFTC derivative moratorium),

VIC FAZIO,
JOSÉ E. SERRANO,
ROSA L. DELAURIO,

Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
KIT BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
DALE BUMPERS

(with exception of title XI),

TOM HARKIN
(with exception of title XI),

PATRICK J. LEAHY
(with exception of title XI),

BARBARA BOXER
(with exception of title XI),

ROBERT C. BYRD
(with exception of title XI),

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

FOOD SAFETY INITIATIVE

Funding for Food Safety is of critical importance to the conferees and, accordingly, it has been given high priority. The conferees note that many of the activities described under the President's Food Safety Initiative have been funded for many years. The President's budget request, which assumes the collection of user fees that have not been authorized, further complicates the process.

The following table reflects funding increases for activities identified under the Food Safety Initiative:

Food and Drug Administration	\$20,000,000
Food Safety and Inspection Service	8,412,000
Office of the Chief Economist	98,000
Economic Research Service	453,000
Food and Nutrition Service	2,000,000
Cooperative State Research, Education and Extension Service	12,135,000
Agricultural Research Service	8,802,000
Total	\$51,900,000

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides \$2,836,000 for the Office of the Secretary as proposed by the Senate instead of \$2,941,000 as proposed by the House.

The conference agreement adopts language as proposed by the House to prohibit the use of salaries and expenses to carry out section 793(d) of Public Law 104-127, a limitation on program levels in the Fund for Rural America and section 793(c)(1)(C) of Public Law 104-127, a limitation on housing assistance. The Senate bill had no similar provision.

The conferees concur with Senate report language regarding the Food Quality Protection Act (FQPA) that says that, in implementing the FQPA, decisions should be "... based on sound science, and reliable, accurate and widely accepted data which reflects the Nation's agricultural production, practices, and conditions."

The conferees understand the trust responsibility the U.S. has toward Indians and Alaska Natives and directs the Department of Agriculture to report to the Congress no later than February 1, 1999, on the progress made with Indian agriculture, Federal inter-agency coordination, and the level of Indian usage of Federal programs and initiatives outlined to benefit Indian agriculture.

The conferees have included in the bill a prohibition on funding to establish an Office of Community Food Security or any similar office without the prior approval of the Committees on Appropriations.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

The conference agreement provides \$5,620,000 for the Chief Economist instead of \$5,973,000 as proposed by the House and \$5,048,000 as proposed by the Senate. Included in this amount is \$219,000 for agricultural weather activities, \$255,000 for the World Agricultural Outlook Board, and \$98,000 to support the Food Safety Initiative.

NATIONAL APPEALS DIVISION

The conference agreement provides \$11,718,000 for the National Appeals Division as proposed by the Senate instead of \$12,204,000 as proposed by the House.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides \$6,120,000 for the Office of Budget and Program Analysis as proposed by the House instead of \$5,986,000 as proposed by the Senate.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides \$613,000 for the Office of the Assistant Secretary for Administration as proposed by the Senate instead of \$636,000 as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement does not include language as proposed by the House limiting the purpose for which funds may be transferred to commercial space expansion. The conference agreement includes new language that provides flexibility for the Secretary to transfer not more than 5 percent of this appropriation to or from another agency's appropriation to allow for incremental changes in the amount of GSA or commercial space and not to finance changes in GSA billing.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides \$32,168,000 for Departmental Administration as proposed by the House instead of \$27,034,000 as proposed by the Senate.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$65,128,000 for the Office of the Inspector General instead of \$67,178,000 as proposed by the House and \$63,128,000 as proposed by the Senate. Included in this amount is \$100,000 for confidential operational expenses instead of \$95,000 as proposed by the House and \$125,000 as proposed by the Senate. The conference agreement includes \$2,000,000 for law enforcement and related work instead of \$1,965,000 as proposed by the House.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides \$29,194,000 for the Office of the General Counsel instead of \$30,396,000 as proposed by the House and \$28,759,000 as proposed by the Senate. Included in this amount is \$435,000 to provide legal support for the Department's civil rights program.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides \$540,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of \$560,000 as proposed by the House.

ECONOMIC RESEARCH SERVICE

The conference agreement provides \$65,757,000 for the Economic Research Service instead of \$67,282,000 as proposed by the House and \$53,109,000 as proposed by the Senate. Included in this amount is \$12,195,000 for studies and evaluations of the child nutrition, WIC, and food stamp programs. Of this amount, \$2,000,000 is transferred to the Food Program Administration account of the Food and Nutrition Service to conduct programmatic evaluations and analyses. The

conferees direct that any welfare reform studies, analyses, or evaluations undertaken by the agency shall directly relate to USDA programs.

The conferees expect a study as proposed by the House, as part of the nutrition related studies, to assess cost containment practices used by states to limit branded products sold in the WIC food package other than infant formula. The conferees direct that the total cost for this study shall not exceed \$1,100,000 in fiscal year 1999 nor \$1,500,000 over the next three years.

The conference agreement includes \$453,000 for estimating the benefits of food safety.

The conferees are aware of a 1996 GAO study on plate waste in the school lunch program and expect the USDA to develop recommendations for eliminating this problem.

Two years ago, the U.S. Congress set U.S. farm policy through the year 2002. As international trade negotiations move into a phase critical to U.S. agriculture, it is essential that our negotiators and farmers have accurate and timely information. Therefore, in addition to the language in the Senate report, the conferees expect commodity situation and outlook reports be maintained at the reporting frequency in place at the time of enactment of the Food and Agriculture Improvement and Reform Act.

The conference agreement provides \$300,000 for a study by the National Academy of Sciences concerning the appropriate amounts of fruit, fiber and sugar in the diet of the population targeted for benefit by the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). The study will be a compilation and review of existing studies and data, including data compiled and materials prepared by the Department in developing the Dietary Guidelines and the Healthy Eating Index. It will examine, in particular, whether WIC program participants would benefit nutritionally if the six grams of sugar per ounce of dried cereal limitation in WIC program regulations were to be modified so that sugar contained in dried fruit in such cereals did not count against this limitation. The study will also examine the impact of the above modifications to the WIC dried cereal limitation on the dental health of WIC participants. A report on this study should be transmitted to the appropriate committees of Congress and to the Secretary no later than 12 months after the project is initiated by the Academy.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides \$103,964,000 for the National Agricultural Statistics Service as proposed by the Senate instead of \$105,082,000 as proposed by the House. Of this amount up to \$23,599,000, is provided for the Census of Agriculture including \$600,000 for the agriculture economics and land ownership survey and the aquaculture statistics census as proposed by the Senate instead of up to \$23,141,000 as proposed by the House.

The conferees expect the National Agricultural Statistics Service to continue to revise the Census of Agriculture to eliminate redundancies in questions asked of farmers.

AGRICULTURAL RESEARCH SERVICE

The conference agreement provides \$781,950,000 for the Agricultural Research Service instead of \$755,816,000 as proposed by the House and \$768,221,000 as proposed by the Senate.

The following table reflects the conference agreement:

	<i>Amount</i>
FY 1998 Appropriation	\$744,605,000
Transfer:	
Office of Civil Rights	170,000
Department of State	16,000

	<i>Amount</i> (\$223,000)		<i>Amount</i>
Rescission		Ft. Pierce, FL {Horticulture	
Adjusted FY 1998 Base	744,568,000	Forage Crops, Woodward, OK	500,000
Emerging Diseases and Exotic Pests	7,550,000	Garden Unit, USNA, Washington, DC	250,000
Plants: Emerging Plant Diseases	(1,450,000)	Golden Nematode, Ithaca, NY	250,000
Albany, CA	{250,000}	Grape Rootstock, Geneva, NY	150,000
Beltsville, MD	{250,000}	Grasshopper Research, AK	300,000
Frederick, MD	{250,000}	Grazinglands Research, El Reno, OK	750,000
College Station, TX	{250,000}	Honeybee Research Varroa/Tracheal Mites, Baton Rouge, LA	250,000
Montpellier, FR	{250,000}	Lettuce Geneticist/Breeding, Salinas, CA	300,000
Logan, UT	{200,000}	Lyme Disease {Tick Control Project, Beltsville, MD	250,000
Fusarium Head Blight (ARS/Consortium of 12 Land Grant Univ	{3,000,000}	Manure Handling and Disposal, Starkville, MS	200,000
Animals: Exotic Infectious Diseases	(3,100,000)	Meadowfoam Research, Peoria, IL	500,000
Athens, GA	{500,000}	Mycoplasma Research, Starkville, MS	200,000
Ames, IA {NADC	{1,000,000}	National Warmwater Aquaculture Center, Stoneville, MS	250,000
Beltsville, MD	{500,000}	National Agricultural Library	1,100,000
Pullman, WA	{600,000}	Natural Products, Oxford, MS	250,000
Laramie, WY	{500,000}	New England Plant, Soil and Water Lab, Orono, ME	750,000
Environmental Quality/Natural Resources	2,400,000	Non-Chemical Control of Pecan Insect Pests, Byron, GA	250,000
Bioactive Compounds	(250,000)	Peach Varieties Research, Byron, GA	150,000
Gainesville, FL	{250,000}	Peanut Quality Research Dawson, GA/Raleigh, NC	1,000,000
IPM/Areawide	{1,150,000}	Pear Thrips, Ithaca, NY	100,000
Beltsville, MD	{250,000}	Potato Breeder Position, Aberdeen, ID	150,000
Columbia, MO	{400,000}	Range Research, Burns, OR	250,000
Stoneville, MS	{250,000}	Rice Research: Stuttgart, AR	1,400,000
College Station, TX	{250,000}	Davis, CA	250,000
Livestock Management Systems	(1,000,000)	Beaumont, TX	200,000
Everglades Initiative	750,000	Root Diseases of Wheat and Barley, Pullman, WA	500,000
Canal Point, FL	{250,000}	Small Fruits Research, Poplarville, MS	250,000
Miami, FL	{250,000}	Small Fruits Research, Corvallis, OR	250,000
Ft. Lauderdale, FL	{250,000}	Soil Tilth Research, Ames, IA	500,000
Food Safety	8,802,000	Soybean and Corn Research, Stoneville, MS	750,000
Preharvest	(4,802,000)	Subtropical Animal Research Station, Brooksville, FL	500,000
Athens, GA	{250,000}	Subtropical Horticultural Research Station, Miami, FL	300,000
Ames, IA	{250,000}	Sugarbeet Research, Ft. Collins, CO	200,000
West Lafayette, IN	{250,000}	U.S. Plant Stress and Water Conserv. Lab, Lubbock, TX	500,000
Beltsville, MD	{250,000}	Vegetable Research, East Lansing, MI	200,000
Clay Center, NE	{600,000}	Wild Rice Research, St. Paul, MN	100,000
College Station, TX	{250,000}	Wind Erosion Research, Manhattan, KS	250,000
Postharvest	(2,000,000)	Termination of ongoing projects	-1,419,000
Safety/Quality of Fruits/Vegetables	1,000,000	Children's nutrition study	-5,000,000
Food Safety Engineering, Purdue Univ	1,000,000	Food safety study	-420,000
Genetic Resources	2,100,000	Citrus Tristeza Virus {transfer	-500,000
Palmer, AK	{100,000}		
Columbia, MO	(700,000)		
Leetown, WV	{1,000,000}		
Human Nutrition Initiative	2,250,000		
Little Rock, AR	{750,000}		
San Francisco, CA	{250,000}		
Boston, MA	{250,000}		
Beltsville, MD	{250,000}		
Grand Forks, ND	{250,000}		
Houston, TX	{500,000}		
Pfiesteria	719,000		
Alternative Fish Feed, Aberdeen, ID	250,000		
Appalachian Fruit Research Station, Kearneysville, WV	250,000		
Aquaculture Research, AK	1,100,000		
Biological Control of Western Weeds, Albany, CA	300,000		
Biomedical Materials in Plants {C/A with Biotech. Foundation, Inc.	500,000		
Cereal Crops Research, Madison WI	250,000		
Cotton Ginning, Stoneville, MS	250,000		
Endophyte Research {C/A with Univ. of AR, MO and OSU	200,000		
Fish Diseases, Auburn, AL	750,000		
Fish Farming Experiment Laboratory, Stuttgart, AR	750,000		
Floriculture and Nursery Crop Res {USNA, Washington, DC/OSU/Cornell and CA Univ	1,000,000		
		Total, ARS	781,950,000

The conference agreement concurs in the following program terminations: global environmental change, CO₂; and water and agrochemical management, LA.

The conferees understand that ARS and the Institute for Technology Development are collaborating to develop promising imaging technology to help assure food quality and safety. The conferees encourage the continuation of this important research and expect ARS to increase its support for this cooperative project from the increased funding provided for food safety.

The conferees are aware of the important research carried out by ARS National Animal Disease Center at Ames, Iowa, on corn insects and crop genetics, plant introduction, soil tilth, and national programs to control and prevent avian and animal diseases. The conferees continue funding for these important ARS projects in FY 1999 and have provided an additional \$2,000,000 for ARS research as reflected in the table.

The amount recommended does not provide funding for program and operations supporting the mission of the newly-constructed swine facility which has been deeded to Iowa State University (ISU). In the Department's report to the Committees regarding funding options for the facility, the conferees understand (1) ISU is presently investing funds in research that is related or complementary to the research proposed for the new facility, and (2) the swine industry is prepared to work toward obtaining other sources of funds to support operational costs and the program of research planned for this facility. The National Swine Research Center was conveyed to ISU in March, 1998, as directed under the Emergency Supplemental Appropriations and Rescissions Act, P.L. 104-19, October 17, 1995. Under this agreement, the conference report stated "that any future costs of operation associated with that facility be provided by sources other than the Federal government."

The conferees expect the Department to consult with the Strategic Planning Task Force on the appropriateness of establishing a human nutrition research center in preventive nutrition, diet, and obesity.

The conferees recognize the important research being done at the ARS-Athens Russell Research Center on competitive exclusion of enteritidis food safety pathogens and encourage the Department to extend this important research to swine.

BUILDINGS AND FACILITIES

The conference agreement provides \$56,437,000 for Agricultural Research Service, Buildings and Facilities instead of \$61,380,000 as proposed by the House and \$31,930,000 as proposed by the Senate.

The following table reflects the conference agreement:

Arizona: Water Conservation and Western Cotton, Maricopa	\$500,000
California: Western Human Nutrition Laboratory, Davis	6,150,000
Hawaii: U.S. Pacific Basin Agricultural Research Center	4,500,000
Illinois: National Center for Agricultural Utilization, Peoria	8,200,000
Iowa: National Animal Disease Center, Ames	2,957,000
Kansas: U.S. Grain Marketing Research Laboratory, Manhattan	1,400,000
Louisiana: Southern Regional Research Center, New Orleans	6,000,000
Maryland: National Agricultural Library, Beltsville	1,200,000

Beltsville Agricultural Research Center, Beltsville	2,500,000
Mississippi: Biocontrol and Insect Rearing Laboratory, Stoneville	200,000
Montana: Pest Quarantine/Integrated Pest Management Facility, Sidney	7,300,000
New Mexico: Jornada Range Research Station, Las Cruces	6,700,000
New York: Plum Island Animal Disease Center, Greenport	3,500,000
Pennsylvania: Eastern Regional Research Center, Philadelphia	3,300,000
Utah: Poisonous Plant Laboratory, Logan	30,000
West Virginia: National Center for Cool and Cold Water Aquaculture, Leetown	2,000,000
Total	56,437,000

The conference agreement provides \$500,000 in additional planning funds for the relocation and replacement of ARS research laboratory from the Phoenix, Arizona location to the Maricopa Agriculture Center. The conferees direct the agency to further review and evaluate the size, capacity and costs associated with replacing the existing research laboratory. This effort is essential to determine the required scope and the most cost-efficient facility required to meet the needs of ARS water and cotton research. The conference agreement provides \$2,957,000 for the National Animal Disease Center and expects the ARS to use \$1,943,000 in available unobligated funds to complete the project.

The conference agreement does not include funding for the avian disease laboratory in Michigan without any prejudice toward the project.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides \$481,216,000 for research and education activities instead of \$431,125,000 as proposed by the House and \$432,982,000 as proposed by the Senate.

The conference agreement reflects a 7% increase from the fiscal year 1998 level for payments under the Hatch Act, cooperative forestry research, payments to 1890 Colleges and Universities, animal health and disease grants, and payments to 1994 institutions; and an increase of \$32,100,000 for the National Research Initiative. The following table reflects the conference agreement:

Research and education activities

[In thousands of dollars]

Payments Under Hatch Act	180,545
Cooperative forestry research (McIntire-Stennis)	21,932
Payments to 1890 colleges and Tuskegee	29,676
Special Research Grants (P.L. 89-106):	
Aegilops cylindricum (WA)	360
Aflatoxin (IL)	113
Agriculture-based industrial lubricants (IA)	250
Agricultural diversification (HI)	131
Agricultural diversity/Red River Corridor (MN/ND)	250
Agriculture water usage (GA) ...	300
Alliance for food protection (NE, GA)	300
Alternative crops (ND)	550
Alternative crops for arid lands (TX)	100

Research and education activities—Continued

Alternative marine and fresh water species (MS)	308
Alternative salmon products (AK)	400
Animal science food safety consortium (AR, IA, KS)	1,521
Apple fire blight (NY, MI)	500
Aquaculture (LA)	330
Aquaculture (MS)	592
Aquaculture (VA)	100
Aquaculture product and marketing development (WV)	750
Babcock Institute (WI)	400
Binational agriculture research and development	400
Biodiesel research (MO)	152
Brucellosis vacinos (MT)	150
Center for animal health and productivity (PA)	113
Center for innovative food technology (OH)	381
Center for rural studies (VT) ...	200
Chesapeake Bay agroecology (MD)	150
Chesapeake Bay aquaculture ...	385
Citrus tristeza	500
Competitiveness of agricultural products (WA)	680
Contagious equine metitis (KY) ..	250
Cool season legume research (ID, WA)	329
Cotton research (TX)	200
Cranberry/blueberry (MA)	150
Cranberry/blueberry disease & breeding (NJ, MA)	220
Dairy and meat goat research (TX)	63
Delta rural revitalization (MS) ..	148
Designing foods for health (TX) ..	250
Drought mitigation (NE)	200
Ecosystems (AL)	500
Environmental research (NY) ...	486
Environmental risk factors/cancer (NY)	100
Expanded wheat pasture (OK) ...	285
Farm and rural business finance (IL)	87
Feed barley for rangeland cattle (MT)	600
Floriculture (HI)	250
Food and Agriculture Policy Institute (IA, MO)	800
Food irradiation (IA)	200
Food marketing policy center (CT)	400
Food processing center (NE)	42
Food quality (AK)	350
Food safety	5,000
Food safety (AL)	300
Food systems research group (WI)	225
Forestry (AR)	523
Fruit and vegetable market analysis (AZ, MO)	320
Generic commodity promotion research and evaluation (NY) ..	212
Global change	1,000
Global marketing support service (AR)	127
Grain sorghum (KS)	106
Grass seed cropping systems for a sustainable agriculture (WA, OR, ID)	423
Human nutrition (IA)	473
Human nutrition (LA)	752
Human nutrition (NY)	622
Hydroponic tomato production (OH)	200
Illinois-Missouri Alliance for Biotechnology	1,184
Improved dairy management practices (PA)	296
Improved fruit practices (MI) ...	445
Infectious disease research (CO) ..	250
Institute for Food Science and Engineering (AR)	1,250

Research and education activities—Continued

Integrated production systems (OK)	180
International agricultural market structures and institutions (KY)	250
International arid lands consortium	400
Iowa biotechnology consortium ..	1,564
Livestock and dairy policy (NY, TX)	475
Lowbush blueberry research (ME)	220
Maple research (VT)	100
Meadowfoam (OR)	300
Michigan biotechnology consortium	675
Midwest advanced food manufacturing alliance	423
Midwest agricultural products (IA)	592
Milk safety (PA)	250
Minor use animal drugs (IR-4) ..	550
Molluscan shellfish (OR)	400
Multi-commodity research (OR) ..	364
Multi-cropping strategies for aquaculture (HI)	127
National biological impact assessment	254
Nematode resistance genetic engineering (NM)	127
Non-food uses of agricultural products (NE)	64
Oil resources from desert plants (NM)	175
Organic waste utilization (NM) ..	100
Pasture and forage research (UT)	225
Peach tree short life (SC)	162
Pest control alternatives (SC) ...	106
Phytophthora root rot (NM)	127
Plant, drought, and disease resistance gene cataloging (NM) ..	150
Postharvest rice straws (CA)	300
Potato research	1,300
Precision agriculture (KY)	500
Precision agriculture (MS)	1,000
Preharvest food safety (KS)	212
Preservation and processing research (OK)	226
Rangeland ecosystems (NM)	200
Regional barley gene mapping project	400
Regionalized implications of farm programs (MO, TX)	294
Rice Modeling (AR)	296
Rural devel. cntrs. (PA, IA (ND), MS, OR, LA)	523
Rural policies institute (NE, MO)	644
Russian wheat aphid (CO)	200
Seafood and aquaculture harvesting, processing and marketing (MS)	305
Small fruit research (OR, WA, ID)	300
Southwest consortium for plant genetics and water resources ..	338
Soybean cyst nematode (MO) ...	475
STEEP III—water quality in Northwest	500
Sustainable agriculture (MI)	445
Sustainable agriculture and natural resources (PA)	95
Sustainable agriculture systems (NE)	59
Sustainable beef supply (MT) ...	500
Sustainable pest management for dryland wheat (MT)	400
Swine waste management (NC) ...	500
Tillage, silviculture, waste management (LA)	212
Tomato wilt virus (GA)	200
Tropical and subtropical	2,724
Turkey coronavirus (IN)	200
Urban pests (GA)	64
Vidalia onions (GA)	100

Research and education activities—Continued

Viticulture consortium (NY, CA)	1,000
Water conservation (KS)	79
Water quality	3,461
Weed control (ND)	423
Wetland plants (LA)	600
Wheat genetic research (KS)	261
Wood utilization research (OR, MS, NC, MN, ME, MI, ID, TN)	5,136
Wool research (TX, MT, WY)	300
Total, Special Research Grants	63,116
Improved pest control:	
Critical issues	200
Emerging pest and disease issues	1,623
Expert IPM decision support issues	177
Integrated pest management	2,731
Pesticide clearance (IR-4)	8,990
Pesticide impact assessment	1,327
Total, Improved pest control	15,048
Competitive research grants:	
Animal systems	29,000
Markets, trade and policy	4,600
Nutrition, food quality and health	16,000
Natural resources and the environment	20,500
Plant systems	41,000
Processes and new products	8,200
Total, Competitive research grants	119,300
Animal Health and Disease (Sec. 1433)	5,109
Critical Agricultural Materials Act	600
Aquaculture Centers (Sec. 1475) ...	4,000
Alternative Crops	750
Sustainable agriculture	8,000
Capacity building grants	9,200
Payments to the 1994 Institutions	1,552
Graduate fellowship grants	3,000
Institution challenge grants	4,350
Multicultural scholars program ..	1,000
Hispanic-serving institutions	2,850
Secondary/2-year post-secondary	500
Federal Administration:	
Agriculture development in American Pacific	564
Agriculture waste utilization (WV)	250
Alternative fuels characterization laboratory (ND)	218
Animal waste management (OK)	250
Center for Agricultural and Rural Development (IA)	355
Center for North American Studies (TX)	87
Data information system	1,000
Geographic information system	844
Mariculture (NC)	250
Mississippi Valley State University	583
National Center for Peanut Competitiveness	300
Office of grants and program systems	310
Pay costs and FERS (prior)	1,100
Peer panels	350
PM-10 study (CA, WA)	873
Shrimp aquaculture (AZ, HI, MS, MA, SC)	3,354
Total, Federal Administration	10,688
Total, Research and Education Activities	481,216

The conferees direct the USDA to consult with the Food and Drug Administration re-

garding food safety research objectives of that agency and recommend that \$5,000,000 of the funds provided for the food safety component of the National Research Initiative be used to meet those needs.

The conference agreement includes \$523,000 for Rural Development Centers, of which \$100,000 is for a new center in Louisiana. The conference agreement includes \$750,000 for alternative crops, of which \$550,000 is for canola and \$200,000 is for hesperaloe. The conference agreement includes \$1,000,000 for the wood utilization special grant for the establishment of two new centers in Idaho and Tennessee with the remainder of the increase to be shared on a proportionate basis by the existing centers.

The conference agreement includes \$5,000,000 for the special grant for food safety as requested by the President and an increase of \$7,400,000 in the National Research Initiative category for nutrition, food quality and health.

EXTENSION ACTIVITIES

The conference agreement provides \$434,122,000 for extension activities instead of \$416,789,000 as proposed by the House and \$432,181,000 as proposed by the Senate.

The following table reflects the conference agreement:

<i>Extension activities</i>	
<i>[In thousands of dollars]</i>	
Smith Lever 3(b) & 3(c)	276,548
Smith Lever: 3(d):	
Farm safety	3,000
Food and nutrition education (EFNEP)	58,695
Food safety	3,500
Indian reservation agents	1,714
Pest management	10,783
Pesticide impact assessment	3,214
Rural development centers	908
Sustainable agriculture	3,309
Water quality	9,561
Youth at risk	9,000
1890's Colleges and Tuskegee	25,843
1890's facilities grants	8,426
Renewable Resources Extension Act	3,192
Rural health and safety education	2,628
Extension services at the 1994 institutions	2,060
Subtotal	422,381
Federal Administration and special grants:	
Ag in the classroom	208
Beef producers' improvement (AR)	197
Delta teachers academy	3,500
Diabetes detection, prevention (WA)	550
Extension specialist (AR)	99
Extension specialist (MS)	100
General administration	4,787
Income enhancement demonstration (OH)	246
Integrated cow/calf resources management (IA)	300
National Center for Agriculture Safety (IA)	195
Pilot tech. transfer (OK, MS) ...	326
Pilot tech. transfer (WI)	163
Range improvement (NM)	197
Rural development (NM)	280
Rural development (OK)	150
Rural rehabilitation (GA)	246
Wood biomass as an alternative farm product (NY)	197
Total, Federal Administration	11,741
Total, Extension Activities ...	434,122

The conferees are concerned that funds for cooperative agriculture extension services are being used to promote Federal welfare programs. Such activities are appropriate only to the extent that they fall within the traditional educational role of extension for home economics and similar missions.

The conference agreement includes a 3% increase for the formula grant programs as proposed by the Senate.

The conference agreement has provided an increase for water quality and expects the projects in North Dakota and Illinois to compete for these funds.

The conference agreement includes an increase of \$500,000 for the Farm*A*Sys program, and an increase of \$145,000 for the Agrability project.

MARKETING AND REGULATORY PROGRAMS**OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS**

The conference agreement provides \$618,000 for the Office of the Assistant Secretary for Marketing and Regulatory Programs as proposed by the Senate instead of \$642,000 as proposed by the House.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE**SALARIES AND EXPENSES**

The conference agreement provides \$425,803,000 for the Animal and Plant Health Inspection Service (APHIS) instead of \$424,500,000 as proposed by the House and \$419,473,000 as proposed by the Senate.

The following table reflects the conference agreement:

<i>[In thousands of dollars]</i>	
	<i>Conference agreement</i>
Pest and disease exclusion:	
Agricultural quarantine inspection	30,648
User fees	88,000
Subtotal, Agricultural quarantine inspection	118,648
Cattle ticks	4,627
Foot-and-mouth disease	3,803
Import-export inspection	6,815
International programs	6,630
Fruit fly exclusion and detection	22,970
Screwworm	30,301
Tropical bont tick	407
Total, Pest and disease exclusion	194,201
Plant and animal health monitoring:	
Animal health monitoring and surveillance	63,389
Animal and plant health regulatory enforcement	5,855
Pest detection	6,426
Total, Plant and animal health monitoring	75,670
Pest and disease management programs:	
Aquaculture	567
Biocontrol	8,160
Boll weevil	16,209
Brucellosis eradication	11,864
Golden nematode	435
Gypsy moth	4,366
Imported fire ant	1,000
Miscellaneous plant diseases	1,410
Noxious weeds	424
Pink bollworm	1,048
Pseudorabies	4,567
Scrapie	2,991
Silverleaf whitefly	
Tuberculosis	4,920
Wildlife services—operations	28,797

	<i>Conference agreement</i>
Witchweed	1,506
Total, Pest and disease management programs	88,264
Animal care:	
Animal welfare	9,175
Horse protection	361
Total, Animal care	9,536
Scientific and technical services:	
Aviation safety	1,200
Biotechnology/environmental protection	7,393
Integrated systems acquisition project	3,500
International cooperative administrative service	909
Plant methods development laboratories	4,693
Veterinary biologics	10,345
Veterinary diagnostics	15,622
Wildlife services—methods development	10,365
Total, Scientific and technical services	54,027
Contingency fund	4,105
Total, Salaries and expenses	425,803

The conference agreement includes \$909,000 for the International Cooperative Administrative Support Service Program.

The conferees direct APHIS to conduct an analysis of the existing Medfly exclusion and detection program in the State of Florida and include in that analysis a review of various potential alternatives, including the feasibility of implementing a year-round sterile Medfly release program. Specifically, the analysis should identify the scope, annual cost, and method of implementation for such programs. APHIS shall report its findings to both the House and Senate Appropriations Committees no later than May 1, 1999.

Infestations of red imported fire ants have been found in Dona Ana County, New Mexico and, as a result, the county has been quarantined. In order to properly survey and monitor the remaining counties of New Mexico for red imported fire ants, the conferees direct APHIS to provide the necessary financial and technical assistance to the State of New Mexico to carry out the necessary activities.

The conferees request APHIS to grant a six-month extension of the comment period for the proposed rule published in the *Federal Register* on August 12, 1998, concerning importation of grapefruits, lemons, and oranges from Argentina. Additional time is needed to allow independent scientists to review the scientific data submitted on behalf of Argentina's petition and to review the risk mitigation measures advocated by APHIS.

The conferees direct the Department to publish rules regarding the compensation of Arizona wheat producers, seed companies, seed producers, and handlers for their economic loss for the 1997-1998 crop due to Karnal bunt.

The conferees direct the Department to work with the Arizona wheat industry and Arizona regulatory agencies to develop a plan for de-regulation of Karnal bunt in Arizona, to be submitted to the Committees on Appropriations no later than November 15, 1998, to allow for appropriate grower decisions for planting wheat for 1999.

The conferees direct APHIS to establish protocols containing appropriate verification procedures including permanent country of

origin marking requirements for each country or region requesting to export livestock into the United States.

The conference agreement adopts House report language providing \$1,500,000 for rabies control activities. The Senate report provided \$800,000 for specific states.

The conference agreement adopts House report language providing \$450,000 for trap testing and related activities to meet U.S. obligations under international standards. The Senate report had no similar language. The conferees expect the agency to work toward the development of more humane trapping methods.

The conference agreement adopts Senate report language providing \$300,000 for an assessment of the economic threat from a newly-described contagious equine metritis-like bacterium to the U.S. horse industry. The House report had no similar provision.

The conference agreement adopts Senate report language providing \$500,000 for operation of the bison quarantine facility and all associated operations including the testing of bison which have left Yellowstone National Park. The House report had no similar provision.

The conference agreement adopts Senate report language providing \$300,000 to establish and operate a Wildlife Services office in Hawaii. The House report had no similar provision.

The conference agreement provides an increase of \$175,000 to offset the impact of expanding wolf populations and the reintroduction of wolves in the northern Rocky Mountains.

The conference report adopts Senate report language providing \$400,000 to require the Secretary to prevent the inadvertent introduction of brown tree snakes into Hawaii and other states. The House had no similar language.

The conferees urge the Secretary to delay the implementation of regulations issued by the Animal and Plant Health and Inspection Service (Fed. Reg. Vol. 63, No. 172, September 4, 1998) entitled "Swim with the Dolphin" as applied to wading programs. The managers expect the Department to solicit input from affected parties and ensure that the regulations will not impose unreasonable requirements, economic hardship, or conflict with State laws.

BUILDINGS AND FACILITIES

The conference agreement provides \$7,700,000 for the Animal and Plant Health Inspection Service, Buildings and Facilities, instead of \$5,200,000 as proposed by the House and \$4,200,000 as proposed by the Senate.

The conference agreement includes \$3,500,000 for completion of a wing at the National Wildlife Research Center in Fort Collins, CO.

The conferees direct the agency to consider locations in Montana and Iowa for construction of a large animal biosafety level-3 containment facility.

AGRICULTURAL MARKETING SERVICE MARKETING SERVICES

The conference agreement provides \$46,000,000 for the Agricultural Marketing Service instead of \$46,567,000 as proposed by the House and \$45,567,000 as proposed by the Senate. The conferees expect that, of the funds available for the National Organic Standards Program, amounts as may be necessary shall be used to offset the initial costs of accreditation services.

El Nino and the Asian currency crisis have caused significant problems to West Coast tuna fishermen. The USDA should use its surplus removal authorities to assist with this problem.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement provides \$60,730,000 for the Limitation on Administra-

tive Expenses as proposed by the House instead of \$59,521,000 as proposed by the Senate.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION SALARIES AND EXPENSES

The conference agreement provides \$26,787,000 for the Grain Inspection, Packers and Stockyards Administration instead of \$27,542,000 as proposed by the House and \$26,390,000 as proposed by the Senate. Included in this amount is \$2,500,000 as proposed by the Senate for restructuring the Packers and Stockyards Administration and \$397,000 as proposed by the House for packer concentration and industry structure.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides \$446,000 for the Office of the Under Secretary for Food Safety as proposed by the Senate. The House bill provided an unspecified amount of funding for the Office of the Under Secretary from the Food Safety and Inspection Service account.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides \$609,250,000 for the Food Safety and Inspection Service as proposed by the House instead of \$605,149,000 as proposed by the Senate.

The conference agreement includes the full amount requested in the fiscal year 1999 budget for the Food Safety Initiative and inspection costs.

The conferees note that the report on ratites was not delivered until six months after the requested submission date and, although a cost-benefit analysis was requested, it was not supplied. While citing significant potential health risks and the existence of industry microbiological data, the Department did not perform a risk assessment to quantify public health benefits. The Department is directed to resubmit the report with the cost-benefit analysis, as requested, by December 31, 1998, or to provide the conferees a detailed accounting of the projected cost and time required to determine the merits and effectiveness of a mandatory ratite inspection program.

The conference agreement adopts language as proposed by the House disagreeing with the Administration's proposal to waive cost-sharing limitations for cooperative state inspection programs. The Senate report had no similar provision.

The conferees direct the Secretary of Agriculture to report to the House and Senate Committees on Appropriations by March 1, 1999, recommendations on lifting the ban on the interstate distribution of State inspected meat.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides \$572,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the Senate instead of \$597,000 as proposed by the House.

The conferees are concerned that the USDA is administering the forfeiture penalty provisions of 7 U.S.C. 7272(g) in a manner inconsistent with the intent of Congress. These provisions were intended only to act as a disincentive to program loan forfeitures. Unfortunately, as evidenced in the fiscal year 1999 Budget Summary, the Department has interpreted the provisions to have "effectively reduced sugar loan rates." The conferees direct the Secretary of Agriculture to administer the program consistent with Congressional intent, and to ensure that the forfeiture penalty shall not apply for any purpose other than an actual loan forfeiture resulting in the reduction of the statutory

price support loan levels for sugarcane (18 cents per pound of raw cane sugar) or sugar beets (22.9 cents per pound of refined beet sugar). In addition, the conferees direct that the penalty shall not be considered in the calculation of any sugar forfeiture price level by the Secretary or by any other official responsible for the administration of the sugar program under 7 U.S.C. 7272, the no-cost provision in section 902(a) of P.L. 99-198, and any related authorities.

FARM SERVICE AGENCY SALARIES AND EXPENSES

The conference agreement provides \$714,499,000 for salaries and expenses of the Farm Service Agency instead of \$724,499,000 as proposed by the House and \$710,842,000 as proposed by the Senate. The conference agreement does not include \$10,000,000 as proposed by the House for the Common Computing Environment.

The conferees expect the Secretary, to the extent practicable, to avoid the use of reductions-in-force or furloughs for both Federal and non-Federal employees or any county office closings.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Direct	(\$85,651,000)
Subsidy	12,822,000
Guaranteed	(425,031,000)
Subsidy	6,758,000
Farm Operating Loans:	
Direct	(500,000,000)
Subsidy	34,150,000
Subsidized Guaranteed ...	(200,000,000)
Subsidy	17,480,000
Unsubsidized Guaranteed	(948,276,000)
Subsidy	11,000,000
Boll Weevil Eradication	(100,000,000)
Subsidy	1,440,000
Credit Sales of Acquired Property	
Subsidy	

DISASTER ASSISTANCE/RESERVE INVENTORIES

The conference agreement does not include \$521,000,000 as proposed by the Senate for disaster assistance and reserve inventories. Disaster related problems are addressed in Titles XI—XIII.

RISK MANAGEMENT AGENCY

The conferees note that risk management tools are limited for livestock producers. The conferees expect the Risk Management Agency to provide a report to the appropriate Committees of Congress on the feasibility of a crop insurance program that livestock producers can utilize for forages and native pasture.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides \$693,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the Senate instead of \$719,000 as proposed by the House.

NATURAL RESOURCES CONSERVATION SERVICE CONSERVATION OPERATIONS

The conference agreement provides \$641,243,000 for the Natural Resources Conservation Service Conservation Operations as proposed by the House instead of \$638,664,000 as proposed by the Senate. Included in this amount is not less than \$5,990,000 for snow survey and water forecasting as proposed by the House instead of \$5,835,000 as proposed by the Senate and not less than \$9,025,000 for operation and establishment of plant materials centers as proposed by the Senate instead of \$7,825,000 as proposed by the House.

posed by the Senate instead of \$7,825,000 as proposed by the House.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, funding is included for the following items: \$100,000 increase for native plants on the Island of Kahoolawe in Hawaii; \$300,000 increase for the Loess Hills Erosion Control in Iowa; \$300,000 for the Long Beach Water Management District Project in Mississippi; \$400,000 increase for the Delta Water Resources Study in Mississippi; \$500,000 for the Tri-Valley watershed in Utah; \$500,000 for the Great Lakes Basin Program for Soil and Erosion Sediment Control; \$100,000 increase for the Potomac Ohio River Basin Soil Nutrient Project; \$100,000 for the Trees Forever Program in Iowa; and \$443,000 increase for construction of the Plant Materials Center at Alderson, West Virginia.

The conferees do not agree with the Senate report language citing problems that have arisen with the Wetlands Reserve Program (WRP). However, the conferees concur with Senate report language that encourages the USDA to structure the terms of WRP contracts so that high priority is given to the consideration of adjacent landowners, including but not limited to the maintenance of watershed protection.

The conferees encourage the agency to provide any technical assistance for construction and repairs to the spillway and roads for Lake Peltier at Salmen Scout Reservation, Hancock County, Mississippi.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides \$10,368,000 for Watershed Surveys and Planning instead of \$9,545,000 as proposed by the House and \$11,190,000 as proposed by the Senate.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides \$99,443,000 for Watershed and Flood Prevention Operations instead of \$97,850,000 as proposed by the House and \$101,036,000 as proposed by the Senate. The conference agreement includes House language providing that not more than \$47,000,000 shall be available for technical assistance. The conference agreement includes continued progress and assistance for the Chino Dairy Preserve Project, San Bernardino County, CA.

The conferees expect the NRCS to provide for corrective action to the North Powder-Rock Creek South pipeline in the Powder Valley Water Control District, OR, to prevent the premature deterioration of the pipeline. The conferees note that since the Powder Valley Water Control District cost-shared in the construction of the current pipeline the cost-share requirements shall not apply to the corrective action necessary since the NRCS has admitted their design flaw.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides \$35,000,000 for the Resource Conservation and Development program as proposed by the House instead of \$34,377,000 as proposed by the Senate. The conferees expect the Department to present to the House and Senate Appropriations Committees no later than March 1, 1999, options to fund new Resource Conservation and Development districts, including a graduation component, while considering program effectiveness, efficiency, and necessary structural changes.

FORESTRY INCENTIVES PROGRAM

The conference agreement provides \$6,325,000 for the Forestry Incentives Program as proposed by the Senate. The House bill provided no funds for this account.

TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides \$588,000 for the Office of the Under Secretary for Rural Development as proposed by the Senate instead of \$611,000 as proposed by the House.

The conferees expect the Secretary, to the extent practicable, to avoid the use of reductions-in-force and furloughs in the rural development work force. The conferees further expect that no reductions-in-force or furloughs will take place unless the Secretary provides detailed justifications for such actions to the House and Senate Committees on Appropriations.

The conferees note that it has become necessary in annual appropriations bills to declare certain communities eligible for rural development programs. This is because of anomalies in the criteria for eligibility, such as population and average income levels, that have made these communities ineligible under a strict interpretation of regulations. The conferees believe that there may not be sufficient flexibility under current law and regulations to address this problem. Therefore, the conferees direct the Department to develop a plan that will address this situation including changes in current law or regulation and present this plan to the House and Senate Committees on Appropriations.

The House and Senate reports recommend projects for consideration under various rural development programs and the conferees expect the Department to apply established review procedures when considering applications.

The conferees further expect the Department to give consideration to business enterprise and housing preservation projects in the city of Bayview, VA; applications for rural business enterprise grants from TELACU, for a project in Selma, CA; for assistance for a community improvement program in Arkansas; water and sewer improvements for the City of Vaughn, NM; the Shulerville/Honey Hill Water project, S.C.; and a rural enterprise grant for Indian Hills Community College, IA.

The conferees direct the agency to exercise its authority to consider the effects of economic circumstances and high unemployment in calculating median household income for the community of Wrangell, AK, for the purpose of determining whether the community is eligible for loans and grants.

The Department should consider a request, subject to normal review procedures, from the Water Environment Research Foundation for water quality research.

The conferees are aware that the Territory of American Samoa is currently in the grip of a severe, prolonged drought, and that the island's water system is rapidly becoming infiltrated by salt water and is unsafe for human consumption. Even with aggressive water conservation and service curtailment efforts, there will soon be insufficient safe drinking water to sustain human needs in the Territory. If assistance is not provided expeditiously, there is an imminent threat that waterborne illnesses will reach epidemic proportions which will severely overburden American Samoa's limited health care facilities. The drought crisis poses an immediate and rapidly escalating threat to human life in this most remote part of American Territories.

It has come to the attention of the conferees that the American Samoa Power Authority (the Territory's water, electric, and sanitary sewer utility) has applied to USDA for assistance in obtaining and installing water filtration and treatment equipment.

This project would provide approximately one million gallons per day of safe drinking water necessary to sustain basic human needs and prevent life-threatening illness.

The conferees urge the Secretary to utilize creative and flexible solutions under the existing water and sewer loan and grants program, the community facilities loan and grants program, and such other rural development programs as the Secretary in his discretion may determine appropriate to meet this critical need in American Samoa.

RURAL DEVELOPMENT

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides \$722,686,000 for the Rural Community Advancement Program (RCAP) instead of \$702,601,000 as proposed by the Senate and \$745,172,000 as proposed by the House.

The following table reflects the conference agreement:

<i>RCAP accounts</i>	
Water/Sewer	\$645,007,000
Community Facilities	29,786,000
Business-Cooperative Development	47,893,000
Total	722,686,000
Earmarks:	
Tech. Asst. (water/sewer)	16,215,000
Circuit Rider	5,300,000
EZ/EC	33,926,000
Tech. Asst. (transportation)	500,000

The conference agreement adopts House bill language that does not include section 3810 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f) from authorized activities included in RCAP funding. The Senate bill had no similar provision.

The conference agreement does not include language in the Senate report directing USDA to provide for rural venture capital demonstration projects in Kentucky and Vermont. The House report had no similar provision.

The conference agreement also adopts Senate bill language providing that funds not obligated for empowerment zones and enterprise communities by June 30, 1999, will remain available for other purposes under this heading. The House bill had no similar provision.

The conference agreement does not provide the requested three percent earmark for Federally-recognized Indian tribes. The conferees note that, according to USDA, Indian tribes now receive approximately five percent of funding under the RCAP and the conferees believe the three percent earmark would arbitrarily restrict rural development benefits to the tribes.

The conferees expect the Department to use funds provided for technical assistance for water and sewer projects to maintain the number of circuit riders at the same level as fiscal year 1998.

The conferees have agreed to permanently increase the authorization of funding for water and sewer projects benefiting Alaska Natives under the Federal Agriculture Improvement and Reform Act of 1996 from \$15,000,000 to \$20,000,000 and to make the state match required under the program consistent with the 25 percent requirement for the Colonias. The conferees direct the Department, in awarding grants to various regions of the country, to give priority consideration to areas which lack flush toilets and running water. It shall also give highest priority to areas without modern sewage disposal systems, with open sewers, and high rates of disease caused by poor sanitation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$197,285,000 (providing for an estimated loan program level of \$4,251,717,000) for activities under the Rural Housing Insurance Fund Program Account instead of \$186,855,000 (providing for an estimated loan program level of \$4,235,601,000) as proposed by the House and \$207,601,000 (providing for an estimated program level of \$4,284,398,000) as proposed by the Senate.

The conference agreement provides \$10,380,000 from the total amount available for empowerment zones and enterprise communities instead of \$10,380,100 as proposed by the Senate. The House bill had no similar provision.

The following table reflects the conference agreement:

<i>Rural Housing Insurance Fund Program Account</i>	
Loan authorizations:	
Single family (sec. 502) ...	(965,313,000)
Unsubsidized guaranteed	(3,000,000,000)
Housing repair (sec. 504)	(25,001,000)
Farm labor (sec. 514)	(20,000,000)
Rental housing (sec. 515)	(114,321,000)
Multi-family housing guarantees (sec. 538)	(100,000,000)
Site loans (sec. 524)	(5,152,000)
Credit sales of acquired property	(16,930,000)
Self-help housing land development fund	(5,000)
Total, Loan authorizations	(4,251,717,000)
Loan subsidies:	
Single family (sec. 502) ...	114,100,000
Unsubsidized guaranteed	2,700,000
Housing repair (sec. 504)	8,808,000
Multi-family housing guarantees (sec. 538)	2,320,000
Farm labor (sec. 514)	10,406,000
Rental housing (sec. 515)	55,160,000
Site loans (sec. 524)	17,000
Credit sales of acquired property	3,492,000
Self-help housing land development fund	282,000
Total, Loan subsidies ..	197,285,000
RHIF administrative expenses (transfer to RHS)	360,785,000
Total, Rural Housing ... Insurance Fund	1,141,467,000
(Loan authorization) ...	(4,251,717,000)

The conferees direct that the Department give preference to projects with the lowest interest rates in the section 538 program to ensure that the program serves tenants with low incomes.

The conferees recognize the importance of providing assistance to the economically distressed areas of the Lower Mississippi Delta. The conferees encourage the Secretary to consider using the reprogramming authority provided in section 724 of this Act to fund applications for Rural Housing Service programs in those areas where there is a shortage of affordable rental and home ownership opportunities. One of the areas to be considered is West Tallahatchie, MS, where there is a shortage of housing for teachers.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides \$1,000,000 from the total amount available for Mutual and Self-Help Housing Grants for empowerment zones and enterprise communities as proposed by the Senate. The House bill had no similar provision.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides \$41,000,000 for Rural Housing Assistance Grants as proposed by the House instead of \$45,720,000 as proposed by the Senate.

The conference agreement provides \$1,200,000 from the total amount available for empowerment zones and enterprise communities as proposed by the House instead of \$1,372,000 as proposed by the Senate. The House bill had no similar provision.

SALARIES AND EXPENSES

The conference agreement provides \$60,978,000 for salaries and expenses as proposed by the Senate instead of \$57,958,000 as proposed by the House. The conference agreement also provides for a transfer of \$360,785,000 from the Rural Housing Insurance Fund as proposed by the Senate instead of \$354,785,000 as proposed by the House. The total provided for Rural Housing Service salaries and expenses is \$421,763,000 as proposed by the Senate instead of \$412,743,000 as proposed by the House.

The conference agreement includes a provision that allows the Administrator of the Rural Housing Service to spend not more than \$10,000 for non-monetary awards to non-employees of the Department of Agriculture. The House bill had no similar provision.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$16,615,000 (providing for an estimated loan program level of \$33,000,000) for the Rural Development Loan Fund Program Account as proposed by the Senate instead of \$17,622,000 (providing for an estimated loan program level of \$35,000,000) as proposed by the House.

The conference agreement also provides from the total amount available a subsidy of \$3,215,520 (providing for an estimated loan program level of \$7,246,000) for empowerment zones and enterprise communities as proposed by the Senate.

The conference agreement also provides \$3,482,000 for administrative expenses as proposed by the Senate instead of \$3,499,000 as proposed by the House.

The conference agreement adopts Senate language that provides that funds not obligated for empowerment zones/enterprise communities by June 30, 1999, will remain available for other authorized purposes. The House bill had no similar provision.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

The conference agreement rescinds \$3,783,000 of funds derived from interest on the cushion of credit payments established in the Rural Electrification Act (7 U.S.C. 901) and further provides \$3,783,000 (providing for an estimated loan program level of \$15,000,000) for the cost of loans under the Rural Economic Development Loans Program Account as proposed by the House instead of \$5,801,000 (providing for an estimated loan program level of \$23,000,000) as proposed by the Senate.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides a total of \$3,300,000 for rural cooperative development grants as proposed by the House instead of \$3,000,000 as proposed by the Senate. Both House and Senate bills provide \$1,300,000 from the total amount available for cooperative agreements for the Appropriate Technology Transfer for Rural Areas Program. The conference agreement also provides \$250,000 for a cooperative development program as proposed by the Senate.

The conference agreement has not earmarked projects under this title but the conferees expect the Department to give consideration to the following projects requesting

assistance under the Rural Cooperative Development Grants program: agricultural diversification, to be conducted by the Jefferson Institute, MO; Silos and Smokestacks, IA; and the Pennsylvania Cooperative Development Center. The conferees expect the Department to use established review procedures in considering these projects.

SALARIES AND EXPENSES

The conference agreement provides a direct appropriation of \$25,680,000 for salaries and expenses of the Rural Business-Cooperative Service. The conference agreement further provides for transfers of \$3,482,000 to this account from the Rural Development Loan Fund Program Account as proposed by the Senate instead of \$3,499,000 as proposed by the House.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$43,319,000 (providing for an estimated loan program level of \$1,561,500,000) for activities under the Rural Electrification and Telecommunications Loans Program Account as proposed by the House instead of \$43,184,000 (providing for an estimated loan program level of \$1,511,500,000) as proposed by the Senate.

The following table reflects the conference agreement:

Rural Electrification and Telecommunications Loans Program Account

Loan authorizations:

Direct loans:	
Electric 5%	(71,500,000)
Telecommunications	
5%	(75,000,000)
Subtotal	(146,500,000)

Treasury rates: Tele-	
communications	(300,000,000)
Muni-rate: Electric	(295,000,000)
FFB loans:	
Electric, regular	(700,000,000)
Telecommunications ...	(120,000,000)

Subtotal	(820,000,000)
----------------	---------------

Total, Loan authorizations	(1,561,500,000)
----------------------------------	-----------------

Loan subsidies:

Direct loans:	
Electric 5%	9,325,000
Telecommunications	
5%	7,342,000

Subtotal	16,667,000
----------------	------------

Treasury rates: Tele-	
communications	810,000
Mini-rate: Electric	25,842,000
FFB loans: Electric, reg-	
ular

Total, Loan subsidies	43,319,000
-----------------------	------------

RETLP administrative expenses (transfer to RUS)	29,982,000
---	------------

Total, Rural Elec-	
trification and Tele-	
communications Loans	
Program Account	73,301,000
(Loan authorization) ...	(1,561,500,000)

By increasing the amount available for Federal Financing Bank lending, it is the intent of the conferees that the Rural Utilities Service will fully utilize the authorities of section 306 of the Rural Electrification Act by issuing guarantees to private sector lenders such as the Cooperative Finance Corporation and other legally organized organiza-

tions to ensure the financial needs of borrowers are met in a timely and efficient manner.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$4,174,000 (providing for an estimated loan program level of \$157,509,000) for the Rural Telephone Bank Program Account instead of \$4,638,000 (providing for an estimated loan program level of \$175,000,000) as proposed by the House and \$3,710,000 (providing for an estimated program level of \$140,000,000) as proposed by the Senate.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

The conference agreement provides \$12,680,000 for the Distance Learning and Telemedicine Program as proposed by the Senate instead of \$10,180,000 as proposed by the House. The conference agreement also provides that \$12,500,000 of the total amount shall be available for grants under this program as proposed by the Senate instead of \$10,000,000 as proposed by the House. Both House and Senate bills provide a subsidy of \$180,000 from the total amount available, which provides for an estimated loan level of \$150,000,000.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The conference agreement provides \$554,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services as proposed by the Senate. The House bill provided an unspecified amount of funding for the Office of the Under Secretary from the Food Program Administration account.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides a total of \$9,176,897,000 for child nutrition programs instead of \$9,218,647,000 as proposed by the House and \$9,219,897,000 as proposed by the Senate. Included in this amount is an appropriated amount of \$4,128,747,000 and an amount transferred from section 32 of \$5,048,150,000.

The conference agreement includes language as proposed by the Senate providing that no funds are available for the commodity procurement program unless the value of section 32 commodities and section 416 commodities are calculated in meeting the minimum commodity assistance requirement of section 6(g) of the School Lunch Act.

The conference agreement provides the following:

Total Obligational Authority

Child Nutrition Programs:	
School lunch program	\$5,384,452,000
School breakfast program	1,396,955,000
Child and adult care food program	1,611,520,000
Summer food service program	294,414,000
Special milk program	18,055,000
State administrative expenses	118,074,000
Commodity procurement and computer support	337,127,000
School meals initiative ..	10,000,000
Coordinated review effort ..	4,300,000
Food safety education	2,000,000
Total	9,176,897,000

The conference agreement provides \$10,000,000 for the school meals initiative. Included in this amount is \$4,000,000 for food service training grants to states, \$1,600,000 for technical assistance materials, \$800,000 for National Food Service Management Institute cooperative agreements, \$400,000 for print and electronic food service resource systems, and \$3,200,000 for other activities.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides \$3,924,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) as proposed by the House instead of \$3,948,000,000 as proposed by the Senate. The conference agreement includes bill language that directs USDA to obligate \$10,000,000 for the farmers' market nutrition program within 45 days of enactment of this Act, and an additional \$5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current case-load levels.

The conferees direct that USDA reduce to 120 days the time period in which states are required to report on monthly obligation of funds as proposed by the House. The Senate had no similar language.

The conferees direct the Department to review the methodology and data used to estimate participation and funding levels for WIC and to report to the House and Senate Committees on Appropriations its recommendations for improvements no later than April 1, 1999, as proposed by the House. The Senate had no similar language.

The conferees address the need for a study on WIC cost containment activity under the Economic Research Service.

The conference agreement does not include bill language as proposed by the House regarding the allocation of fiscal year 1998 recovered funds.

The conference agreement includes bill language as proposed by the House that state agencies required to procure infant formula using a competitive bidding system award a contract only to the bidder offering the lowest net price.

FOOD STAMP PROGRAM

The conference agreement provides \$22,585,106,000 for the Food Stamp Program instead of \$22,591,806,000 as proposed by the House and \$23,781,806,000 as proposed by the Senate. Included in this amount is a contingency reserve of \$100,000,000. Also included in this amount is \$1,236,000,000 for nutrition assistance to Puerto Rico and \$90,000,000 for TEFAP commodity purchases.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides \$131,000,000 for the Commodity Assistance Program instead of \$141,000,000 as proposed by the House and Senate. Included in the amount is \$45,000,000 for administration of TEFAP. The conferees provide that these funds may be used for administration or food costs at the discretion of the states. The conferees note that there is a \$10,000,000 carry-over from fiscal year 1998 in this account for the Commodity Supplemental Food Program and have adjusted the appropriation accordingly.

FOOD PROGRAM ADMINISTRATION

The conference agreement provides \$108,561,000 for Food Program Administration instead of \$108,311,000 as proposed by the House and \$109,069,000 as proposed by the Senate. Included in this amount is \$252,000 for publication of Dietary Guidelines and \$725,000 for program and financial integrity advancement. The conference agreement includes language that withholds \$2,000,000 of this appropriation until a final rule is promulgated to curb vendor-related fraud in the WIC program as proposed by the House.

The conferees understand USDA is reviewing the Dietary Guidelines and should ensure that scientific messages on dietary and nutritional behaviors are consistent among the Dietary Guidelines, the Food Guide Pyramid, and any related nutritional publications.

The conferees direct that the funds transferred to this account from the Economic

Research Service be used for programmatic studies and evaluations directly related to USDA programs, and that any welfare reform studies, analyses, or evaluations undertaken shall directly relate to USDA programs.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

The conference agreement includes a direct appropriation of \$136,203,000 instead of \$131,295,000 as proposed by the House and \$131,795,000 as proposed by the Senate.

The conference agreement adopts a Senate provision which provides for the transfer of \$3,231,000 from the Export Loan Program and \$1,035,000 from the P.L. 480 program account under the P.L. 480 and Export Loan program accounts. The House bill provided for these transfers under this heading.

The conference agreement does not include a Senate provision providing up to \$2,000,000 solely for the purpose of offsetting international exchange rate fluctuations. The House bill had no similar provision. The conferees note that the deletion of this provision does not indicate a judgment on the merits of the request but reflects the fact that the agency has not developed a plan for this activity as requested in the fiscal year 1998 conference agreement. The conferees expect such a plan to be submitted with the fiscal year 2000 President's Budget.

The amount provided includes \$4,408,000 for the International Cooperative Administrative Support Service Program.

The conference agreement includes \$128,000 of the total provided for a representation allowance as proposed by the Senate instead of \$140,000 as proposed by the House. The conferees also provide \$3,500,000 for the Cochran Fellowship Program.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

The following table reflects the conference agreement for Public Law 480 Program Accounts:

<i>Public Law 480 Program and Grant Accounts</i>	
Title I—Credit sales:	
Program level	(219,724,000)
Direct loans	(203,475,000)
Ocean freight differential	(16,249,000)
Title II—Commodities for disposition abroad:	
Program level	(837,000,000)
Appropriation	837,000,000
Title III—Commodity grants:	
Program level	(25,000,000)
Appropriation	25,000,000
Loan subsidies	176,596,000
Salaries and expenses:	
General Sales Manager (transfer to FAS)	1,035,000
Farm Service Agency (transfer to FSA)	815,000
Subtotal	1,850,000
Total, Public Law 480:	
Program level	(1,081,724,000)
Appropriation	1,056,695,000

The conferees are concerned that Agency for International Development (AID) and Title II operational policies are not fully meeting both statutory mandates and the program's primary humanitarian objective of providing U.S. agricultural products and commodities for feeding the needy worldwide. While encouraged by recent aid commitments to increase relief-type feeding programs, the conferees expect AID, to the extent practicable, in utilizing the funds provided herein, to ensure that the non-emer-

gency programs, including monetization programs, comply with the statutory requirement that 75% of the commodities provided be in the form of highly nutritious value-added agricultural commodities.

TITLE VI-RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes a direct appropriation of \$1,098,140,000 for the salaries and expenses of the Food and Drug Administration, instead of \$998,340,000 as proposed by the House and \$1,062,642,000 as proposed by the Senate.

The following table reflects the conference agreement:

Food Safety & Applied Nutrition	\$226,580,000
Human Drugs	200,305,000
Biologics	96,279,000
Animal Drugs and Feeds ...	41,973,000
Devices & Radiological Products	145,736,000
National Center for Toxicological Research	31,579,000
Tobacco	34,000,000
Rent and related activities	25,855,000
Other activities	80,694,000
Rental Payments to GSA ..	82,866,000
Sub-Total	965,867,000
Prescription Drug User Fees ¹	132,273,000
Total	1,098,140,000

¹Of the total \$132,273,000 in PDUFA collections, \$91,676,000 is for Human Drugs, \$28,816,000 is for Biologics, \$6,353,000 is for other activities, and \$5,428,000 is for payments to the General Services Administration.

The conference agreement includes an increase of \$2,500,000 for the Office of Cosmetics and Color; \$500,000 to begin development of a new approval process for food packaging materials; \$1,000,000 for the Office of Generic Drugs; and \$250,000 for the Office of Seafood Inspection. Within the amount for the Office of Seafood Inspection \$200,000 is for a grant to the Interstate Shellfish Sanitation Commission.

The conference agreement includes an increase of \$20,000,000 for the Food Safety Initiative. The FDA should use \$19,500,000 for increased food inspection and \$500,000 for research at the National Center for Toxicological Research.

The conferees expect the FDA to publish a proposed rule concerning the use of foreign marketing data in the review of new sunscreen active ingredients in the sunscreen over-the-counter drug monograph. The conferees expect the proposed rule will be published not later than June 1, 1999.

The conferees note that the Food and Drug Administration will soon consider a citizen petition requesting approval of disjunctive labeling for surimi. The conferees strongly urge the agency to act in an expeditious manner to propose a rule in response to the petition, but in no case shall the FDA propose such a rule later than six months after the receipt of the citizen petition, nor shall the agency finalize such a rule later than twelve months after the receipt of the citizen petition.

Included within the amount is \$700,000 for the Clinical Pharmacology program. The conferees expect these funds to be used for competitive grants.

The conferees note that recent court decisions (Mova Pharmaceutical Corp. v. Shalala, 104 F.3d 1061 (D.C. Cir. 1998); Granutec, Inc. v. Shalala, No. 97-1873 and No. 97-1874, 1998 U.S. App. LEXIS 6685 (4th Cir.

Apr 3, 1998)) have invalidated an element of the Food and Drug Administration's regulations regarding the 180-day exclusivity period for first applicants under section 505(j)(5)(B)(iv) of the Federal Food, Drug, and Cosmetic Act. The conferees strongly urge the FDA to use the funds provided to issue new regulations and guidance for industry to fulfill the intent of the Generic Drug Act (Waxman/Hatch) for the broadest possible availability of generic drugs to consumers consistent with the Act.

BUILDINGS AND FACILITIES

The conference agreement provides \$11,350,000 for Food and Drug Administration Buildings and Facilities as proposed by the House instead of \$12,350,000 as proposed by the Senate.

The conference agreement provides \$3,000,000 for construction of Phase III at the National Center for Toxicological Research as proposed by the House instead of \$4,000,000 as proposed by the Senate. The conferees expect these funds, in addition to any Phase II remaining balances, to be sufficient to initiate Phase III construction.

RENTAL PAYMENTS

The conference agreement provides \$88,294,000 for FDA rental costs in the salaries and expenses account as proposed by the Senate. The House proposed these funds in a separate account.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides \$61,000,000 for the Commodity Futures Trading Commission as proposed by the Senate instead of \$62,140,000 as proposed by the House.

FARM CREDIT ADMINISTRATION

LIMITATION OF ADMINISTRATIVE EXPENSES

The conference agreement adopts the limitation of \$35,800,000 on the expenses of the Farm Credit Administration as proposed by the House. The Senate bill had no limitation on expenses.

TITLE VII-GENERAL PROVISIONS

Senate Section 705.—The conference agreement includes language (Section 705) proposed by the Senate to allow up to \$2,000,000 for costs associated with collocation of APHIS regional offices to remain available until expended. The House bill had no similar provision.

House Section 710.—The conference agreement does not include language proposed by the House that limits agencies' reimbursement to General Services Administration for costs for rental space. The Senate bill had no similar provision.

House Section 716 and Senate Section 715.—The conference agreement includes language (Section 715) proposed by the House that allows the Grain Inspection, Packers and Stockyards Administration to use cooperative agreements to carry out programs.

Senate Section 716.—The conference agreement includes language that allows the Natural Resources Conservation Service to use contracts, grants or cooperative agreements for goods or services.

Senate Section 717 and House Section 718.—The conference agreement includes language (Section 718) proposed by the Senate that permanently prohibits funds of the Market Access Program from being used to promote mink product exports.

House Section 719 and Senate Section 718.—The conference agreement includes language (Section 719) to allow up to \$1,800,000 for expenses of advisory committees, panels, commissions, and task forces. The House bill recommended a limit of \$1,400,000 and the Senate bill recommended a limit of \$1,350,000.

Senate Section 722.—The conference agreement includes language (Section 723) to require the approval of the Chief Information Officer for purchases of information technology systems or upgrades by the Department of Agriculture. The language also includes a provision to prohibit any transfers of funds to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriation of both Houses.

House Section 724.—The conference agreement does not include language relating to common support services. The conferees concur that the Department has sufficient authority to carry out such a program. The Senate bill had no similar provision.

Senate Section 724.—The conference agreement modifies language (Section 727) to prohibit contract acreage payments to a producer who plants wild rice on contract acreage unless the contract payment is reduced by an acre for each contract acre planted to wild rice. The agreement deletes the Senate provision that made this permanent law. The House bill had no similar provision.

Senate Section 725.—The conference agreement includes language (Section 728) that names the National Rice Germplasm Evaluation and Enhancement Center the "Dale Bumpers National Rice Research Center." The House bill had no similar provision.

Senate Section 726.—The conference agreement includes language (Section 729) proposed by the Senate to allow the Secretary of Agriculture to transfer, subject to reprogramming requirements, up to \$26,000,000 for authorized programs to benefit the Lower Mississippi Delta Region. This amount should include any and all funds provided to that region as part of the total. The House bill had no similar provision.

House Section 725 and Senate Section 727.—The conference agreement includes language (Section 725) to prohibit funding for the Fund for Rural America.

House Section 726.—The conference agreement does not include language proposed by the House that prohibited funding for the Wildlife Habitat Incentive Program.

House Section 727.—The conference agreement includes language (Section 726) proposed by the House that limits funding for the Environmental Quality Incentives Program to \$174,000,000.

House and Senate Section 728.—The conference agreement includes language (Section 730) to limit acreage enrolled in the Wetlands Reserve Program to 120,000 acres as proposed by the Senate. The House proposed a limit of 130,000 acres.

House and Senate Section 729.—The conference agreement includes language (Section 731) to limit funding for The Emergency Food Assistance Program to \$90,000,000 as proposed by the House instead of \$80,000,000 as proposed by the Senate.

Senate Section 730 and House Section 739.—The conference agreement includes language (Section 740) that prohibits funding for the Conservation Farm Option Program as proposed by both the House and Senate.

House Section 730.—The conference agreement includes language (Section 732) that prohibits funding for the Initiative for Future Agricultural and Food Systems (P.L. 105-185) as proposed by the House. The Senate bill had no similar provision.

Senate Section 731.—The conference agreement includes language (Section 743) proposed by the Senate that amended Public Law 102-237 with regard to control of the brown tree snake. The House bill had no similar provision.

House Section 731.—The conference agreement includes language (Section 733) proposed by the House to make the City of Big Spring, Texas eligible for rural housing programs.

House Section 732.—The conference agreement includes language (Section 734) that makes the municipality of Carolina, Puerto Rico eligible for grants and loans administered by the Rural Utilities Service.

Senate Section 732.—The conference agreement includes language (Section 744) as proposed by the Senate that makes funds in this or any other Act available for financial and technical assistance for Franklin County, Mississippi.

House Section 734 and Senate Section 736.—The conference agreement includes language (Section 736) as proposed by the House that does not allow funds from this Act to be used to carry out any commodity purchase program that would prohibit eligibility or participation by a farmer-owned cooperative.

Senate Section 733.—The conference agreement includes language (Section 745) that makes the cost share requirement for Alaska water and wastewater loan and grants 25% and the authorized level \$20,000,000.

Senate Section 735.—The conference agreement includes language (Section 746) as proposed by the Senate that prohibits the Food and Drug Administration from closing or relocating the Division of Drug Analysis in St. Louis, MO.

House Section 735.—The conference agreement includes language (Section 737) as proposed by the House that amends the technical definition of the word "antibacterial" in the Federal Food, Drug, and Cosmetic Act.

House Section 736.—The conference agreement includes language (Section 738) as proposed by the House that prohibits funds from being used to issue a final rule to implement the amendments to the Federal milk marketing orders as required by subsection (a) of the Agricultural Market Transition Act other than during the period February 1, 1999 through April 4, 1999. The conference agreement also modifies the House provision to include language clarifying marketing order reform in the state of California.

House Section 737 and Senate Section 738.—The conference agreement does not include language proposed by both the House and Senate related to sanctions for the sales of agricultural products. A similar provision has been enacted into law.

Senate Section 737.—The conference agreement includes language (Section 747) proposed by the Senate that requires the Secretary of Agriculture to inspect and certify agricultural processing equipment and to impose a fee for the inspection and certification in a manner that is similar to the inspection and certification of agricultural products under the Agricultural Marketing Act of 1946.

House Section 738.—The conference agreement includes language (Section 739) which requires that when the Secretary of Agriculture announces the basic formula price for milk, the Secretary shall include in the announcement an estimate of the costs incurred by milk producers to produce milk in the different regions of the United States.

Senate Section 739.—The conference agreement includes language (Section 748) as proposed by the Senate to prohibit funds from being used to require a producer to pay an administrative fee of 10 per cent for catastrophic insurance protection. The language also makes the provision permanent law.

House Section 740 and Senate Section 761.—The conference agreement includes bill language (Section 741) that waives the statute of limitations on non-employment complaints of discrimination in certain programs of the Department of Agriculture, and modifies the House language to include expedited procedure in processing the complaints as proposed in Senate Section 761.

Senate Section 741.—The conference agreement includes language (Section 749) as pro-

posed by the Senate that mandates the indefinite continuation of a personnel management demonstration project.

House Section 741.—The conference agreement includes language (Section 750) as proposed by the House that provides that the Secretary may not deny certain guarantees in housing on the basis that the interest on the loan for which the guarantee is sought is exempt from inclusion in gross income for purposes of Chapter 1 of the Internal Revenue Code of 1986.

Senate Section 742.—The conference agreement modifies language proposed by the Senate (Section 750) that extends the authorization of certain provisions of the Housing Act of 1949 through September 30, 2000. The Senate proposed an extension until September 30, 1999.

Section 742.—The conference agreement includes language that makes the Secretary of Agriculture liable for compensatory damages to farmers who are found to have been discriminated against under any farm loan program or activity conducted by the USDA in violation of section 504 of the Rehabilitation Act of 1973.

House Section 742.—The conference agreement does not include language to prohibit the Food and Drug Administration from using funds for the testing, development, or approval of any drug for the chemical induction of abortion.

Senate Section 743.—The conference agreement does not include bill language as proposed by the Senate requiring a review of methyl bromide alternatives research. The House bill had no similar provision. The conferees expect the Agricultural Research Service to conduct a review of the methyl bromide alternatives research conducted by the Department. The review should include: 1) the total amount of funds expended by the Department for methyl bromide alternatives research for each fiscal year 1990 to 1997 and estimates for fiscal years 1998 and 1999, including a description of how funds are distributed and utilized; 2) descriptions of plot and field scale testing of methyl bromide alternatives conducted in fiscal years 1990 through 1998, including: a) total amount of funds expended for plot and field scale testing; and b) the results of the testing and the impact of the results on future research; and 3) a description of the variables that impact the effectiveness of methyl bromide alternatives and the Department's strategy for addressing them.

The conferees expect the Department to submit a report describing the results of its review to the appropriate committees of both Houses of Congress not later than 180 days after enactment of this Act.

Senate Section 744.—The conference agreement does not include language proposed by the Senate regarding the need to provide drought relief in Texas. The conference agreement includes language related to all agriculture disasters in Titles XI-XIII.

Senate Section 745.—The conference agreement includes language (Section 751) proposed by the Senate that amends the 1985 farm bill to exempt 30-year easements from payment limitations for the Wetlands Reserve Program.

Senate Section 746.—The conference agreement includes language (Section 752) proposed by the Senate that acceptance of Wetlands Reserve Program bids may be in proportion to landowner interest expressed in program operations.

Senate Section 748.—The conference agreement includes language (Section 754) proposed by the Senate that prohibits funds from being used to prepare a budget submission to Congress that assumes reductions from the previous year's budget due to user fee proposals unless the submission also

identifies spending reductions which should occur if the user fees are not enacted. The House bill had no similar provision.

Senate Sections 747 and 752.—The conference agreement includes language (Section 753) that makes several technical corrections to the Agriculture Research, Extension, and Education Reform Act.

Senate Section 749.—The conference agreement does not include language to establish a pilot program to permit haying and grazing on conservation reserve land.

Senate Section 750.—The conference agreement includes language proposed by the Senate (Section 755) that amends the Agricultural Marketing Act of 1946 regarding shipment of shell eggs and mandates a report on egg safety and repackaging.

Senate Section 751.—The conference agreement does not include the sense of the Senate provision regarding economic hardships faced by agricultural producers and rural communities. The conference agreement includes language related to agriculture disasters in Titles XI–XIII.

Senate Section 753.—The conference agreement does not include language proposed by the Senate that exempts food, other agricultural products, medicines and medical equipment from export control sanctions except where the country repeatedly provided support for the acts of terrorism.

Senate Section 754.—The conference agreement does not include language proposed by the Senate regarding mandatory price reporting.

The conferees direct the Secretary of Agriculture to take steps to increase the voluntary reporting of fed cattle, and wholesale beef carcass prices and volumes on a quality and yield grade basis, as well as the prices and volumes of boxed beef (on carcass equivalent basis) sales by quality grades and trim categories, on a daily basis. These reports may include all domestic and international forward sales for delivery period currently reported, prices for branded products, sales delivered as priced basis to a futures contract, sales of less than carlot volume and formulated sales. The Secretary shall encourage the reporting of the price differential for USDA Prime, the upper $\frac{2}{3}$ of USDA Choice, and a sub-select price category. Reports should include imported beef products and livestock.

With regard to lamb, the conferees direct the Secretary of Agriculture to expand current voluntary reporting of live lamb and wholesale lamb carcass prices and volumes on a yield grade basis, as well as the prices and volumes of boxed lamb and other fabricated lamb cut sales. Price should be reported on a weekly basis, for the period currently reported, and should include prices for certified and branded products, sales of less than carlot volume and formulated sales. Reports should include imported lamb products.

The Secretary of Agriculture shall compile and publish price, volume sales, and the shipment information regarding all exports and imports of beef, veal, lamb and products thereof which is collected via the expanded voluntary process. The livestock, carcass, boxed product, primal, sub-primal and other meat cut descriptions currently being used by AMS Market News Service should serve as a basis for describing and reporting imported and exported products for price and volume purposes. The Secretary shall also standardize AMS price reporting data collection activities to ensure uniformity and complete sales data capture and to maximize the information available to all aspects of the industry. The Secretary shall report to Congress, not more than six months after enactment, on the feasibility or need for mandatory price reporting. The Secretary is also

directed to implement new, electronic export certificate issuance and data-reporting programs. The Secretary shall encourage the information to be reported not later than one week after the end of the week during which exports occurred consistent with the advanced notice of rule-making published by USDA during 1997.

Senate Section 755.—The conference agreement does not include language related to metered dose inhalers. The House bill had no similar provision. The conferees note the Senate's interest in a transition from the use of chlorofluorocarbons (CFCs) in metered-dose inhalers (MDIs) to less environmentally damaging substances, as required by international treaty. The use of CFCs has been shown to be harmful to the atmospheric ozone layer, which protects humans from skin cancer, although the magnitude of the environmental impact of the amount of CFCs used in MDIs is unclear. Metered-dose inhalers, which contain CFCs as propellants, are used primarily for the treatment of asthma and other chronic pulmonary disorders. Asthma and pulmonary patients and physicians rightfully believe that the Food and Drug Administration (FDA) must consider their concerns, as well as the need to have a range of suitable substitutes in place before current products are withdrawn from the market, as the agency moves forward with a proposal to manage the transition from CFC to non-CFC products. At the same time, clear and timely guidance about a transition process is needed by both patients and caregivers. Therefore, the conferees direct FDA to devote the resources necessary to ensure that a proposed rule is issued no later than September 1, 1999.

Senate Section 756.—The conference agreement does not include language proposed by the Senate directing the Secretary, in consultation with the Comptroller General, to submit a report on the Market Access Program (MAP) to the appropriate committees of Congress not later than 180 days after enactment of this Act.

The conferees direct the Secretary to produce a report on the MAP which should include an analysis of the costs and benefits of the program for compliance with OMB circular A-94; estimate the impact of MAP on the agricultural sector, on consumers, and other sectors of the economy in the United States; assess the relation between the priorities and spending levels of programs carried out under MAP and the privately funded market promotion activities undertaken by participants in the programs; and evaluate the additional spending of participants and the amount of export additionality resulting from the MAP.

Senate Section 757.—The conference agreement does not include Sense of the Senate language regarding the economic effect of low commodity prices. The conference agreement includes language regarding agricultural disasters in Titles XI–XIII.

Senate Section 758.—The conference agreement does not include language as proposed by the Senate that amends the law regarding reserve inventories. The conference agreement includes language relating to agricultural disasters in Titles XI–XIII.

Senate Section 759.—The conference agreement does not include language proposed by the Senate that provided for an assessment on tobacco programs and reductions in several Department of Agriculture programs and increased funding for food safety related activities.

Senate Section 760.—The conference agreement (Section 756) modifies Senate Section 760 and reduces the spending cap on computer-related activities funding through the CCC.

Senate Section 762.—The conference agreement does not include language proposed by

the Senate to amend the Census of Agriculture Act of 1997. This issue is addressed under the National Agricultural Statistics Service.

Senate Section 763.—The conference agreement includes language (Section 757) as proposed by the Senate that makes certain owners of trees with fire blight eligible for disaster assistance.

Senate Section 764.—The conference agreement does not include language as proposed by the Senate that requires the Secretary of Agriculture to make assistance and information available to the Commission on 21st Century Production Agriculture. The conferees expect the Secretary to assist and cooperate as necessary with the Commission.

Senate Section 765.—The conference agreement does not include bill language requiring country of origin labeling for fresh produce.

The conferees direct the General Accounting Office (GAO) to conduct a comprehensive study on the potential effects of mandatory country of origin labeling of fresh produce. This report should assess the impact of such mandatory labeling requirements on importers, producers, consumers, and retailers, including a cost/benefit analysis. The report should identify U.S. trading-partner countries which currently have country of origin practices in place, the nature and scope of such practices, and a record of U.S. challenges to those requirements. The GAO report should also address the ability of the Federal government and the public to respond to warnings about the outbreak of food-borne illness arising from imported produce. The final report should be submitted to the Congress no later than six months after the enactment of this Act.

Senate Section 766.—The conference agreement does not include the Sense of the Senate provision that certain programs in the bill receive additional funding in the event that additional allocation becomes available.

Senate Section 767.—The conference agreement does not include a provision requiring creation of a new Office of the Small Farms Advocate as provided in the Senate bill. The conferees believe that better management of existing programs within the Department, generally, would result in a more efficient and effective use of limited resources as they apply to small farm and other considerations. Accordingly, the conferees urge the Secretary to coordinate activities and to encourage policy considerations within existing programs of the Department that promote the needs of small farm operators and that may help reverse the unwarranted decline in small farm operations.

Senate Section 768.—The conference agreement does not include Senate language addressing the inadvertent planting of ineligible beans. The conferees are aware that there may be instances in which producers, in good faith or in reliance on information provided by agricultural consultants, inadvertently planted crops in violation of section 118 of the Federal Agriculture Improvement and Reform Act of 1996 (FAIR). The FAIR Act encouraged producers to exercise planting flexibility in order to adapt to new markets and to promote sound conservation and agronomic practices. Accordingly, the Secretary is urged to exercise reasonable treatment of producers in order to avoid harmful consequences.

Senate Section 769.—The conference agreement does not include language as proposed by the Senate that requires a report to Congress on a recommendation to lift the ban on interstate distribution of state inspected meat. The conferees direct the Secretary of Agriculture to report to the House and Senate Committees on Appropriations by March 1, 1999, with recommendations on lifting the

ban on the interstate distribution of State-inspected meat.

Senate Section 770.—The conference agreement includes language under Title VIII regarding loans to borrowers who have received debt forgiveness.

Senate Section 771.—The conference agreement does not include language related to the definition of family farm.

Senate Section 772.—The conference agreement includes language under Title VIII regarding the basis for denial of loans.

Senate Section 773.—The conference agreement does not include language as proposed by the Senate that amends the Federal Food, Drug, and Cosmetic Act regarding medical drug and device recalls.

Section 759.—The conference agreement includes language proposed by the House to make the city of Vineland, New Jersey eligible for programs administered by the Rural Housing Service and the Rural Business-Cooperative Service.

Section 760.—The conference agreement includes language that places a moratorium on the rule-making authority of the Commodity Futures Trading Commission (CFTC) over swaps and derivatives until March 30, 1999. The conferees do not intend to preclude the CFTC's participation in the President's Working Group on Financial Markets. Further, the conferees do not intend to preclude the Commission from taking action pursuant to any determination by the President's Working Group on Financial Markets regarding regulatory restraints with respect to qualifying hybrid instruments and swap agreements.

In light of recent market events, including the need for financial rescue measures to avert the collapse of a large hedge fund, the conferees strongly urge the President's Working Group on Financial Markets to undertake an immediate review and study of over-the-counter transactions of entities such as hedge funds and their relationships with their creditors. This provision would not interfere with the Commission's ability to take action in furtherance of any determination by the President's Working Group.

Section 761.—The conference agreement includes language providing a limitation on the use of funds to carry out section 612 of Public Law 105-185.

Section 762.—The conference agreement includes language amending section 136 of the Agricultural Market Transition Act (7 U.S.C. 7236) by striking "1.25 cents" each place it appears in subsection (a) and (b) and inserting "3 cents".

Section 763.—The conference agreement includes language regarding the distribution of funds made available by section 1124 of subtitle C of Title XI of this Act.

Section 764.—The conference agreement includes language regarding methyl bromide.

TITLE VIII—AGRICULTURAL CREDIT

The conference agreement includes several changes to agricultural credit laws including eligibility for emergency loans, notification of ineligibility for loans, training requirement exemptions, limitations on amount of farm loans, and cash flow requirements.

TITLE IX—INDIA-PAKISTAN RELIEF ACT

The conference agreement adopts Senate language (Title IX) allowing waivers of certain export control laws for India and Pakistan.

(SENATE TITLE X)

The conference agreement does not include language proposed by the Senate requiring meat labeling.

The conferees direct the Secretary to conduct a comprehensive study on the potential effects of mandatory country of origin labeling of imported fresh muscle cuts of beef and

lamb. The report shall include the impact of such requirements on imports, exports, livestock producers, consumers, processors, packers, distributors and grocers. The report shall also include, but is not limited to, the following: any additional costs to the Federal government which would be incurred as a result of mandatory country of origin labeling of imported fresh muscle cuts of beef and lamb; the projected costs for beef and lamb distributors, retailers or consumers; any projected gains that may result from country of origin labeling of imported fresh muscle cuts of beef and lamb; and any empirical evidence of benefit or harm, to producers, processors, distributors, retailers or consumers produced by similar labeling programs in other countries. The report shall be submitted to Congress no later than 6 months after the enactment of this Act and shall contain a detailed statement of the findings and conclusions of the Secretary, together with his recommendations for such legislation and administrative actions as he considers appropriate.

The study may also consider the economic effects of exempting imported beef and lamb, including meat produced from animals imported directly for slaughter in sealed trucks and containers, from eligibility for USDA quality grades. The Secretary is directed to differentiate "meat produced from animals in sealed trucks and containers directly for slaughter" from "U.S. production" in all market reports.

TITLE X—UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS

The conferees have included bill language that gives the Secretary of Agriculture the authority to create an Under Secretary for Marketing and Regulatory Programs position at USDA.

TITLE XI—EMERGENCY AND MARKET LOSS ASSISTANCE

The conference agreement includes funding to provide assistance to agricultural producers who have suffered financial hardship due to adverse weather conditions and loss of markets.

The conference agreement provides \$1,500,000,000 in assistance directed to producers who have incurred losses in the 1998 crop due to disaster. An additional \$675,000,000 is provided to make available assistance to producers who have incurred multiyear losses in the 1998 and preceding crop years. The Secretary may make assistance available for crop losses associated with crops due to losses in quantity, quality or severe economic losses due to damaging weather or related conditions.

The conference agreement requires that producers receiving crop loss assistance who have not purchased crop insurance for the 1998 crop shall agree to purchase crop insurance for the subsequent two crops produced by the producers.

The conference agreement makes available \$175,000,000 to provide livestock feed assistance to livestock producers affected by disasters during calendar year 1998.

The conferees have granted the Secretary broad authority to create and implement a crop loss assistance program with the funds made available. This will allow the Secretary to complete an assessment of 1998 crop losses and provide the maximum flexibility to expedite the delivery of assistance.

The conference agreement provides \$1,650,000,000 to partially compensate producers for loss of markets in 1998 due to circumstances beyond their control, such as regional economic dislocation, unilateral trade sanctions and failure of the government to pursue trade opportunities aggressively. Payments shall be proportional to the

amount of the production flexibility contract payment made to producers in fiscal year 1998.

The agreement includes \$50,000,000 for emergency disaster assistance to persons or entities who have incurred losses from a failure under section 312 (a) of P.L. 94-265, \$5,000,000 for cotton warehouse losses, temporary recourse loans for honey and mohair, and adjustments to crop insurance for raisin producers. The conference agreement includes language providing additional funding for the Food for Progress program.

The conferees direct the Farm Service Agency to take into consideration the history of flooding in a watershed in determining emergency conservation program eligibility in Vermont.

The conferees expect the Secretary of Agriculture to extend for two years the time period that a participant in the Conservation Reserve Program (CRP) has for completion of pruning, thinning, and stand improvement of trees on lands subject to a contract under CRP. Such pruning, thinning, or stand improvement activities are otherwise required to be completed under the contract in 1998 or 1999.

The conferees expect the Secretary of Agriculture to provide guaranteed loans for purposes of installing irrigation systems if a farmer operates a farm within an area that has been declared an agricultural disaster due to drought conditions.

The conferees understand that in addition to the devastating forest fires that occurred in Florida earlier this year, the drought in Texas has also had a significant impact on timber production and forest health. The conferees also understand that it may take several planting seasons to complete the reforestation due to lack of available planting stock.

The conferees are concerned about the weather-related crop losses that have devastated New York State fruit and onion growers in 1998. The Secretary shall make funding available to assist producers who have incurred losses during the 1998 crop year to fruit crops and to the trees and vines on which those fruit crops are produced.

The Secretary is also directed to develop a crop disaster assistance program suitable for the New York State fruit and onion growers. The Secretary shall provide financial assistance to apple producers proportioned according to their volume of apples sold in fresh, processing and juice markets, based on 1997 marketing data, and shall not deduct a salvage value when the cost of harvesting a crop in that marketing category approximates the 1998 cash market value at the time of harvest.

The Secretary shall make eligible for the Emergency Conservation Program fruit drops in orchards as well as replacement of trellises in orchards and vineyards that were damaged by storms.

The managers direct that in carrying out the disaster relief activities funded by this conference agreement, the Secretary of Agriculture shall give particular attention to assessing and meeting the needs of Puerto Rico and the United States Virgin Islands following Hurricane Georges. The Secretary should take all necessary steps to help the territories recover from the 1998 hurricane season and restore their agricultural economies, such as covering losses in livestock and non-program crops, including but not limited to coffee, bananas, and tropical fruits.

TITLE XII—BODIESEL

The conference agreement includes language that creates a biodiesel program. The Senate bill included similar language.

TITLE XIII—EMERGENCY APPROPRIATIONS

The conference agreement includes additional funding for emergency related costs

including \$40,000,000 for salaries and expenses for the Farm Service Agency, \$31,405,000 for subsidy costs for additional operating loans for a total loan amount of \$540,510,000, and \$10,000,000 for the Forestry Incentives Program.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1999 recommended by the committee of conference, with comparisons to the fiscal year 1998 amount, the 1999 budget estimates, and the House and Senate bills for 1999 follow:

New budget (obligational) authority, fiscal year 1998	\$49,793,563,000
Budget estimates of new (obligational) authority, fiscal year 1999	59,567,544,000
House bill, fiscal year 1999	55,883,142,000
Senate bill, fiscal year 1999	56,820,368,000
Conference agreement, fiscal year 1999	59,949,240,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1998	+10,155,677,000
Budget estimates of new (obligational) authority, fiscal year 1999	+381,696,000
House bill, fiscal year 1999	+4,066,098,000
Senate bill, fiscal year 1999	+3,128,872,000

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT,
Jr.,
HENRY BONILLA,
TOM LATHAM,
BOB LIVINGSTON,
MARCY KAPTUR
(except CFTC derivative moratorium),
VIC FAZIO,
JOSE E. SERRANO,
ROSA L. DELAURIO,

Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
KIT BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
DALE BUMPERS
(with exception of title XI),
TOM HARKIN
(with exception of title XI),
PATRICK J. LEAHY
(with exception of title XI),
BARBARA BOXER
(with exception of title XI),
ROBERT C. BYRD
(with exception of title XI),

Managers on the Part of the Senate.

PROVIDING FOR CONSIDERATION OF H.R. 4274, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore (Mr. DICKEY). The pending business is the question of agreeing to the resolution,

House Resolution 564, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

Without objection, the time for a recorded vote, if ordered, on the Speaker's Approval of the Journal will be reduced to 5 minutes immediately following this vote.

There was no objection.

RECORDED VOTE

The vote was taken by electronic device, and there were—yeas 216, nays 200, not voting 18, as follows:

[Roll No. 476]

YEAS—216

Aderholt	Gekas	Pappas
Archer	Gibbons	Paul
Armey	Gilchrest	Paxon
Bachus	Gillmor	Pease
Baker	Gilman	Peterson (PA)
Ballenger	Goode	Petri
Barr	Goodlatte	Pickering
Barrett (NE)	Goodling	Pombo
Bartlett	Graham	Porter
Barton	Granger	Portman
Bass	Greenwood	Quinn
Bateman	Gutknecht	Radanovich
Bereuter	Hall (TX)	Ramstad
Bilbray	Hansen	Redmond
Bilirakis	Hastert	Regula
Bliley	Hastings (WA)	Riggs
Blunt	Hayworth	Riley
Boehlert	Herger	Rogan
Boehner	Hill	Rogers
Bonilla	Hilleary	Rohrabacher
Bono	Hobson	Ros-Lehtinen
Brady (TX)	Hoekstra	Roukema
Bryant	Horn	Royce
Bunning	Hostettler	Ryun
Burr	Houghton	Salmon
Burton	Hulshof	Sanford
Buyer	Hunter	Saxton
Calvert	Hutchinson	Scarborough
Camp	Hyde	Schaefer, Dan
Campbell	Inglis	Schaffer, Bob
Canady	Istook	Sensenbrenner
Cannon	Jenkins	Sessions
Castle	John	Shadeegg
Chabot	Johnson (CT)	Shaw
Chambliss	Johnson, Sam	Shays
Chenoweth	Jones	Shimkus
Christensen	Kasich	Shuster
Coble	Kelly	Skeen
Coburn	Kim	Smith (MI)
Collins	Kingston	Smith (NJ)
Combest	Klug	Smith (OR)
Cook	Knollenberg	Smith (TX)
Cooksey	Kolbe	Smith, Linda
Cox	LaHood	Snowbarger
Crane	Largent	Solomon
Crapo	Latham	Souder
Cubin	LaTourette	Spence
Cunningham	Lazio	Stearns
Davis (VA)	Lewis (CA)	Stenholm
Deal	Lewis (KY)	Stump
DeLay	Linder	Sununu
Diaz-Balart	LoBiondo	Talent
Dickey	Lucas	Taylor (MS)
Doolittle	Manzullo	Taylor (NC)
Dreier	McCollum	Thomas
Duncan	McCrery	Thornberry
Dunn	McDade	Thune
Ehlers	McInnis	Tiahrt
Ehrlich	McIntosh	Upton
Emerson	McKeon	Walsh
English	Metcalf	Wamp
Ensign	Mica	Watkins
Everett	Miller (FL)	Watts (OK)
Ewing	Moran (KS)	Weldon (FL)
Fawell	Myrick	Weldon (PA)
Foley	Nethercutt	White
Forbes	Neumann	Whitfield
Fossella	Northup	Wicker
Franks (NJ)	Norwood	Wilson
Frelinghuysen	Nussle	Wolf
Gallegly	Oxley	Young (AK)
Ganske	Packard	Young (FL)

NAYS—200

Abercrombie	Hall (OH)	Oberstar
Ackerman	Hamilton	Obey
Allen	Hastings (FL)	Olver
Andrews	Hefner	Ortiz
Baessler	Hilliard	Owens
Baldacci	Hinchey	Pallone
Barcia	Hinojosa	Pascarell
Barrett (WI)	Holden	Pastor
Becerra	Hooley	Payne
Bentsen	Hoyer	Pelosi
Berman	Jackson (IL)	Peterson (MN)
Berry	Jackson-Lee	Pickett
Bishop	(TX)	Pomeroy
Blagojevich	Jefferson	Price (NC)
Blumenauer	Johnson (WI)	Rahall
Bonior	Johnson, E. B.	Rangel
Borski	Kanjorski	Reyes
Boswell	Kaptur	Rivers
Boucher	Kennedy (MA)	Rodriguez
Boyd	Kennedy (RI)	Roemer
Brady (PA)	Kildee	Rothman
Brown (CA)	Kilpatrick	Roybal-Allard
Brown (FL)	Kind (WI)	Rush
Brown (OH)	Klecza	Sabo
Capps	Klink	Sanchez
Cardin	Kucinich	Sanders
Carson	LaFalce	Sandlin
Clayton	Lampson	Sawyer
Clement	Lantos	Schumer
Clyburn	Leach	Scott
Condit	Lee	Serrano
Conyers	Levin	Sherman
Costello	Lewis (GA)	Sisisky
Coyne	Lofgren	Skaggs
Cramer	Lowey	Skelton
Cummings	Luther	Slaughter
Danner	Maloney (CT)	Smith, Adam
Davis (FL)	Maloney (NY)	Snyder
Davis (IL)	Manton	Spratt
DeGette	Markey	Stabenow
Delahunt	Mascara	Stark
DeLauro	Matsui	Stokes
Deutsch	McCarthy (MO)	Strickland
Dicks	McCarthy (NY)	Stupak
Dingell	McDermott	Tanner
Dixon	McGovern	Tauscher
Doggett	McHale	Thompson
Dooley	McHugh	Thurman
Doyle	McIntyre	Tierney
Edwards	McKinney	Torres
Engel	McNulty	Towns
Eshoo	Meehan	Trafficant
Etheridge	Meek (FL)	Turner
Farr	Meeks (NY)	Velazquez
Fattah	Menendez	Vento
Fazio	Millender	Visclosky
Filner	McDonald	Waters
Ford	Miller (CA)	Watt (NC)
Fox	Minge	Waxman
Frank (MA)	Mink	Weller
Frost	Moakley	Wexler
Furse	Mollohan	Weygand
Gejdenson	Moran (VA)	Wise
Gephardt	Morella	Woolsey
Gonzalez	Murtha	Wynn
Gordon	Nadler	Yates
Green	Neal	
Gutierrez	Ney	

NOT VOTING—18

Callahan	Harman	Martinez
Clay	Hefley	Parker
DeFazio	Kennelly	Pitts
Evans	King (NY)	Poshard
Fowler	Lipinski	Pryce (OH)
Goss	Livingston	Tauzin

□ 1402

Ms. MCCARTHY of Missouri and Messrs. MINGE, LEACH, and FOX of Pennsylvania changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. DICKEY). Pursuant to clause 5 of rule I, the pending business is the question of